

HOW UNITED STATES ARMY LEADERS AT FORT LEAVENWORTH  
PERFORMED PEACEKEEPING OPERATIONS  
IN TERRITORIAL KANSAS

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MASTER OF MILITARY ART AND SCIENCE  
Military History

by

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## ABSTRACT

HOW UNITED STATES ARMY LEADERS AT FORT LEAVENWORTH  
PERFORMED PEACEKEEPING OPERATIONS IN TERRITORIAL KANSAS, by  
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The Army in the Kansas Territory (Bleeding Kansas) engaged in what is now called Peacekeeping and Peace-Enforcement Operations. This thesis examines how the Army performed those operations, compares its actions to the United Nations (UN) basic definitions of Peacekeeping, and explores how the lessons learned in Kansas could apply to the modern era. The Army in Kansas faced a major problem: How to regain and maintain peace in a territory that had a population divided over the issue of slavery and local governmental control. This problem was complicated by the existence of two separate territorial governments: One legal (proslavery) but not recognized by the majority of the Kansas population; the other an illegal (antislavery) organization that had greater popularity with the residents of the territory. The Army also had to modify its actions due to several factors: The legality issues of militarily engaging American citizens; the variety of personalities and skills of several territorial governors; the national attention drawn to the conflict; and the other responsibilities the Army faced on the western frontier (Native American and Mormon uprisings). The primary lessons learned were the need to use a professional, disciplined force to stabilize the region, the need for military leadership and civilian leadership to work together to develop solutions to a crisis, and the need for the military to encourage civilian control over political solutions to a crisis.

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## ACRONYMS

FID	Foreign Internal Defense
FM	Field Manual
PE	Peace Enforcement
UN	United Nations
US	United States

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## CHAPTER 1

### INTRODUCTION

#### Kansas A New Territory

In the early 1850s, the prairie wind swept through the seemingly endless, grasslands of what would become the Kansas Territory. At that time, Native Americans constituted most of the population of the territory. The only people of European descent were a few pioneers journeying to points west on the California, Oregon, Santa Fe, or Mormon Trails. There were also missionaries trying to convert the Native Americans and Soldiers stationed on the frontier. The Soldiers of the United States (US) Army were stationed in Kansas to guard the pioneers from the Indians and, in no small measure, to guard the Indians from those pioneers.<sup>1</sup> In 1854, when the US decided to create a territory out of Kansas, a struggle arose between two groups of people; those who desired to turn Kansas into a nonslavery, northern aligned state, and those who intended to make Kansas a proslavery, southern aligned state. This struggle grew bloody by 1856 and is commonly known as Bleeding Kansas.<sup>2</sup> The Soldiers assigned to Kansas were the only force that could stabilize the situation before it grew out of control.

#### Kansas Prior to the 1850s

Prior to the 1850s, Kansas was a frontier region, a land where a variety of Native American tribes competed with each other on the prairie.<sup>3</sup> They lived in a region of the modern US known as the Louisiana Purchase. In 1803, the US, under President Thomas Jefferson, purchased the region from Napoleon Bonaparte. The area of the Louisiana Purchase contained all of the present-day Great Plains, and the area of Louisiana itself,

including the trade city of New Orleans.<sup>4</sup> The future state of Kansas was also located within the lands of the Louisiana Purchase. The methodology used to create the Kansas Territory out of the Louisiana Purchase caused the territory to become embroiled in the national dispute over slavery.

### National Dispute over Slavery

By the 1850s, the northern and southern regions of the US developed into opposing entities; the north with an antislavery view and the south with a proslavery view. To ensure a balance of power, new states were allowed into the nation only if the congressional powers from existing northern and southern regions were appeased. The general east to west expansion of the nation allowed the northern (antislavery) and southern (proslavery) states to acquire equal number of new states and thus representation in the Senate. In 1820, Missouri and Maine desired statehood. Congressmen from both the north and south debated the issue of how to allow the new states into the Union as states, one free and the other slave, without upsetting the balance of power of pro- and antislavery factions of the government. The US Congress compromised and allowed Missouri and Maine to enter the Union, one as a free state and the other as slave state. This was called the Missouri Compromise. The compromise stated that no other state from the Louisiana Purchase could become a slave state if it had a border above the 36 degrees-30 minutes north latitude. This was the southern border of Missouri and the southern border of the future territory of Kansas.<sup>5</sup>

### The Compromise of 1850

There was then the issue of California, which was acquired by the US in the Mexican-American War. In the late 1840s, gold was discovered in that newly acquired territory and the resulting boom of immigrants swelled the population. California's statehood application complicated the Missouri Compromise. Since California was not included in the Louisiana Purchase, California was not limited by the Missouri Compromise in its decision on slavery. The territorial legislature applied for statehood as a free state, and California became a state in 1850, after much debate and compromise in Congress.<sup>6</sup>

The debate over California's admittance was due to it giving the non-slavery states a one state majority in the Congress.<sup>7</sup> In order for the southern congressional leadership to recognize California as a free state, they needed concessions to protect the institution of slavery. After much debate, a compromise was achieved in 1850. The Compromise of 1850 involved three major issues. The first issue would allow California statehood as a non-slave state. The second would allow New Mexico and Utah to become territories without restrictions on slavery.<sup>8</sup> Pro-slavery aligned congressmen were concerned, as the likelihood of the populations in New Mexico and Utah allowing slavery was uncertain due to the terrain and environmental conditions in those regions. The third issue was the Fugitive Slave Law of 1850.<sup>9</sup>

Prior to the slave law, escaped slaves could flee to the north and the possibility of being captured and returned varied with the state and community the escaped slave fled to. In many areas, the slave owner had no ability to reclaim his slave due to resistance from the local antislavery population or government. The Fugitive Slave Law of 1850 not

only required federal marshals to capture and return escaped slaves, it also fined the marshal for noncompliance. Due to the Fugitive Slave Law, 332 black men, women, and children were sent south in chains as escaped slaves. The antislavery press emphasized the plight of the escaped slaves and often wrote about long-term black freemen mistakenly being sent south in bondage. The law accomplished the goal of allowing slave owners to reclaim property and it also infuriated antislavery sentiments, especially the abolitionist population.<sup>10</sup> Abolitionists were individuals that had strong antislavery viewpoints, often far in excess of the more moderate factions of the antislavery population. While many who were antislavery did not like the idea of human bondage and opposed the slave law, the abolitionists were considered extreme, as they desired to eliminate all aspects of slavery. Most antislavery people desired to keep slavery out of their states, but the issue of slavery in the south was an issue for the south to decide. Nicole Etcheson described the abolitionist's ideology with the northern population as the more intense of the antislavery viewpoints. "Many northerners, sympathetic to the abolitionist argument for liberty's moral dimension, nonetheless tolerated the existence of slavery in the name of order and condemned abolitionism as lawless."<sup>11</sup>

The Compromise of 1850 allowed California statehood and thus an antislavery majority in the Senate. This encouraged proslavery resistance to any action that may further erode their position in Congress. At the same time, the Fugitive Slave Law of 1850 encouraged the abolitionists to resist any action that may increase proslavery power. These two viewpoints of resistance would collide in Kansas over the issue of popular sovereignty.

### Popular Sovereignty in Kansas and Nebraska

The next two territories to apply for statehood were Kansas and Nebraska, both located in the nonslavery aligned areas of the Missouri Compromise. To make the situation more complicated, Kansas shared a border with the slave state of Missouri. Proslavery factions in congress realized that if the Missouri Compromise could be altered or nullified, Kansas would be a possible region to expand slavery. It was also a possible route for the transcontinental railroad.<sup>12</sup>

To prevent the anticipated southern resistance to granting statehood to Kansas or Nebraska, and as an attempt to encourage the development of the transcontinental railroad, Senator Stephen Douglas proposed the *Kansas-Nebraska Act*. This act would nullify the Missouri Compromise and let the territories from the Louisiana Purchase choose their own position on slavery, a concept known as popular sovereignty.

Senator Douglas's motivation was to secure a railroad linkage to connect California to the rest of the nation. He also desired to maintain the strength of the Democrat party since much of the party's power came from southern states. Allowing the possibility for Kansas to become a slave state would pacify that wing of the Democrats.<sup>13</sup>

Popular sovereignty was the idea that the people of a territory could choose their future as either a slave or nonslave state. This had a great deal of appeal to the American concept of democracy and liberty. To Senator Douglas and many Democrats, popular sovereignty was considered the optimal solution. Since they expected most of the new settlers in Kansas to come from the proslavery state of Missouri, those settlers would likely vote for a proslavery legislature. Nebraska would face a similar vote except the settlers would come from antislavery Iowa and would likely vote for an antislavery

legislature. One would become a free state the other a slave state. The delicate balance of power in the US Congress would be maintained. The only difficulty for the southerners was to ensure that Kansas pioneers voted for the proslavery candidates.<sup>14</sup>

However, the problem with popular sovereignty was that slavery was not a local or even a state issue, it was a national issue. By allowing the future government of Kansas to decide the slavery issue, it invited outside elements to enter the territory to influence elections and the government. Those outside elements, both anti-and proslavery, were encouraged by the chance to secure a new state to their cause.<sup>15</sup>

### The Changing of Political Parties

To many antislavery politicians, the Kansas-Nebraska Act was a threat. To them, it was viewed as a way to expand slavery. At the same time, the 1854 debate over the Kansas-Nebraska Act further divided the nation and the Democratic Party. Before the debate, in the 1852 congressional elections, the Democrats won sweeping victories in the south and all but two northern states. After the debates over the Kansas-Nebraska Act, many northern Democrats changed their affiliation to other parties. In the election of 1854, only seven of the forty-four northern Democrats who voted for the Kansas-Nebraska Act were re-elected.<sup>16</sup> The Kansas-Nebraska Act also changed the opposition of the Democrat Party. Many Whigs and Free Soil Party members united with the disgruntled, northern Democrats to create the Republican Party.<sup>17</sup> The Republicans adopted the Free Soil concept of restricting the expansion of slavery beyond the states in which it already existed. They (Republicans) were gaining in the north while the Democratic Party was becoming more southern focused. The political parties were rapidly becoming regionally divided between the north and south over the issue of

slavery.<sup>18</sup> This eroded the ability of the Democrats to claim they represented the interest of the entire nation, not just the south. Though the Kansas-Nebraska Act and popular sovereignty had the appeal of democracy deciding the fate of slavery in the territories, the end result of the debate increased the division between the north and south.

### Populations and Slavery

The population of the US and the major political parties were becoming more divided over the issue of slavery. While most antislavery people held the view that slavery was wrong and should not be expanded outside of the south, the most fervent and extreme antislavery believers contended that slavery needed to be disbanded throughout the nation. These extreme antislavery adherents were known as the abolitionists. Mainly based in New England, they believed that slavery was immoral, against the foundations of liberty, and they desired to free the Negro race from its bondage. By the mid 1850s, Eli Thayer, a leading abolitionist, summed up their belief in a post Civil War essay:

[S]lavery was a great national curse. . . . [I]t practically ruined one-half of the nation and greatly impeded the progress of the other half. . . . [I]t was a curse to the negro, but a much greater curse to the white man. It made the slaveholders petty tyrants. . . . It made the poor whites of the South more abject and degraded than the slaves themselves. That it was an insurmountable obstacle in the way of the nation's progress and prosperity. That it must be overcome and extirpated.<sup>19</sup>

The abolitionists believed the introduction of both Kansas and Nebraska as nonslave states would erode proslavery power in Congress. Their plan was to send as many antislavery people to Kansas as possible to influence the territorial elections and government. Since migrating to Kansas was an expensive option, abolitionists set up emigrant aid societies to finance the growth of antislavery communities in Kansas. Though not every antislavery emigrant who received aid from the abolitionist shared their

extreme beliefs, most were against the expansion of slavery in Kansas. The emigrant societies collected donations from people that were firmly antislavery and used those funds to sponsor immigrants with like-minded ambitions. One of the most famous was the New England Emigrant Aid Society. These societies greatly reduced the cost of settling in Kansas, as they could mass purchase tickets on steamboats, farm tools, and other goods needed to settle in a frontier land. The societies could also act as a venue through which antislavery emigrants banded together for mutual protection.<sup>20</sup> Later, when guerrilla war broke out in Kansas, this network of aid and connections would be used to channel fighters and weapons into the territory.

The south also had people with strong views regarding human bondage. The most prevalent view was proslavery. They viewed the abolitionists desire to settle Kansas as a threat to their way of life. During the debate over Kansas, John Atchison, a prominent proslavery Senator from Missouri, stated, “We are playing for a mighty stake. If we win, we carry slavery to the Pacific Ocean, if we fail, we lose Missouri, Arkansas and Texas and all other territories.”<sup>21</sup> If slavery failed in Kansas, slave property ownership in Missouri would be threatened. The historian Nicole Etcheson wrote the following about the southern attitude. “Southerners felt that to acquiesce to northern rule over Kansas would be a step closer to northern rule over the south.”<sup>22</sup> Southern leadership also knew that there were far more northern people looking for frontier land than in the south. Dixie was still filling the frontier of Missouri and Arkansas with a far smaller population. A proslavery settler could settle there without the risk of losing slave property in a land that may outlaw it. The north just had a far greater population of people desiring frontier land to settle.<sup>23</sup>

Many people in the western section of Missouri, near the Kansas border, initially did not have extreme feelings about the slavery issue. Few of these proslavery people actually owned slaves. But they were southern, and they often identified slavery as a basic southern cultural trait. For many of them, slavery was not the issue, southern identity was the issue. In his book, *War to the Knife*, Thomas Goodrich wrote about the common man's southern view of slavery.

Many southerners had earlier commiserated with all Americans over the dilemma they faced regarding slavery, but by the middle of the nineteenth century human bondage had become such a fundamental part of their life that to talk of destroying the one, was to talk of destroying the other.<sup>24</sup>

The proslavery leaders needed a way to control Kansas and its elections. Their problem was that the south had fewer people to settle Kansas than the north, especially with abolitionist emigrant societies sponsoring antislavery migration. Additionally, the proslavery population that lived closest to Kansas had little incentive to immigrate as they already lived in a frontier land that was southern in culture. The solution was to adopt a strategy of encouraging Missourians, and any other southerners that could be gathered, to cross the border into Kansas during elections. Those individuals would ensure the election of proslavery candidates, and then return to Missouri. They received the nickname Border Ruffians from the antislavery press.<sup>25</sup>

Other emigrants that came to Kansas arrived for similar reasons that most pioneers settled on the frontier, such as establishing farms, businesses, speculation in land, or other reasons not directly related to slavery. However, with the influx of so many people entering the territory focused on the human bondage issue, this last group of emigrants would soon be drawn into the larger debate over Kansas becoming a slave or nonslave state.

In 1854, several groups were setting upon a collision course in Kansas. Abolitionists in the north desired to flood the territory with antislavery settlers. Proponents of slavery in the south desired to flood the state with proslavery settlers, or at least, temporary voters. Many others were immigrating to Kansas for reasons not directly related to slavery. This combination of populations and ideologies would result in conflict that would become known as Bleeding Kansas.

### The Problem for the Army in Kansas

Slavery set into action a chain of events that created the conditions for violence in Kansas, as different groups vied for power within the territory. By the summer 1856, the violence known as Bleeding Kansas had begun as the pro- and antislavery groups went from political to physical confrontation. The force the presidential administration of Franklin Pierce and James Buchanan eventually choose to keep the peace in Kansas was the US Army operating in the territory commanded from Fort Leavenworth.<sup>26</sup>

This thesis examines the issue, how the US Army leaders at Fort Leavenworth performed peace operations (peacekeeping and peace enforcement) in territorial Kansas in an impartial and effective manner as demonstrated in their use of modern-day peace operations principles during the Bleeding Kansas crisis.

The issue is relevant today as the US Army currently finds itself involved in several peace operations missions throughout the world. Whether the missions are located in the Balkans, Africa, or the Middle East, the Army is tasked to keep and enforce peace, a challenge in lands divided by divergent groups that are in violent opposition with each other. In those lands, the Army is trying to enact democratic governments while

attempting to keep the populations from slipping into a civil war, as the Army did before in antebellum Kansas.

During the 1850s, the Army had no blueprint on how to perform peace operations in Kansas. They had no rules of engagement, established procedures, or UN political mandates from which to draw their courses of action. Today the US Army can use the United Nations (UN) definition of Peacekeeping Operations and the Army's own Field Manual (FM) 100-23, *Peace Operations*. This paper will use the four goals of UN peacekeeping as the standard of performance for Army forces in Kansas. FM 100-23 will also be used for comparison of the Army's methodology of action.

#### United Nations Peacekeeping Operational Goals

The UN recognized there are times when a larger political body is needed to ensure peace upon smaller political states that have fallen into disarray. Article 1 of the *United Nations Charter*, signed 26 June 1945, states the purpose of the body is to end violence and install a peaceful settlement to the disputes that led to a "breach of peace."

To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.<sup>27</sup>

A detailed history of UN peacekeeping operations and their caveats would be too extensive for this thesis. This paper concentrates on how the main goals of UN peacekeeping can be used as a benchmark for comparison of the US Army's actions in Kansas to the modern era. The UN mission statement on peacekeeping consists of the following four goals of peacekeeping forces:

One: Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.

Two: Stabilize conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement.

Three: Assist in implementing comprehensive peace agreements.

Four: Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.<sup>28</sup>

United States Army FM 100-23, *Peace Operations*

FM 100-23 refers to two phases of peace operations, peacekeeping and peace enforcement.

Peacekeeping involves military or paramilitary operations that are undertaken with the consent of all major belligerent parties. These operations are designed to monitor and facilitate implementation of an existing truce agreement and support diplomatic efforts to reach a long-term political settlement.

Peace Enforcement (PE) operations are described in the following quote:

[T]he application of military force or the threat of its use, normally pursuant to international authorization, to compel compliance with generally accepted resolutions or sanctions. The purpose of PE is to maintain or restore peace and support diplomatic efforts to reach a long-term political settlement. PE may include combat action. In such cases, missions must be clear and end states defined. With the transition to combat action comes the requirement for the successful application of war fighting skills. Thus, in a theater of operations both combat and non-combat actions may occur simultaneously. Forces conducting PE may, for example, be involved in the forcible separation of belligerent parties or be engaged in combat with one or all parties to the conflict.<sup>29</sup>

Of course, the Army of 1854 did not have the UN four general goals of Peacekeeping or FM 100-23 to use. But, the UN goals, to secure the borders, enforce cease fires, aid in negotiations, and lead parties to forming stable governments were logical and achievable for the Army in 1850s Kansas.

In action, the mission of the Army in Kansas was similar to peace enforcement as shown in FM 100-23, as the Army used the threat of military force and was involved in the forcible separation of belligerent parties.

The Army commanders at Fort Leavenworth tried to accomplish the four goals of UN peacekeeping in their own way, facing their own challenges, in their own time of history.

### United States Army Conditions in Kansas and Fort Leavenworth

Most of the issues of concern to this paper will deal with Fort Leavenworth, as it was the primary Army installation for the Kansas Territory. The commander at Fort Leavenworth had the responsibility and authority to control the Army within the Territory. There was also the Department of the West, located at Jefferson Barracks, Missouri and Secretary of War in Washington, DC, that oversaw the actions of the commander of Fort Leavenworth. But, due to the communications at the time, it was the commander of Fort Leavenworth who was the primary military official within the territory. He was the individual that would be the primary person of military responsibility in the region. Later, in July 1856, the Army will consolidate the Department of the West with Fort Leavenworth, covered in Chapter Three.

To enact the first peacekeeping goal, deploying to prevent the outbreak of conflict or the spill-over of conflict across borders was a challenge as the Army of the 1850s was grossly undermanned, under equipped, and over committed. In 1854, there were fewer than 500 troops covering the Kansas Territory, an area that consisted of the present-day size of Kansas and most of eastern Colorado.<sup>30</sup> The map of the Kansas Territory (figure 1) shows the extent of the area in the antebellum period. The population of white civilians

in Kansas was initially less than the Army troops but that rapidly changed with the opening of the territory for settlement. According to the historian William Cutler, in 1854 the US Army in Kansas consisted of the following forces:

The soldiers, with some few families of the officers and others, were stationed at three points, viz.: Fort Leavenworth, 2 companies, 13 officers and 158 men, with perhaps 70 others, families, servants, etc.; Fort Riley (then building), 4 companies, 16 officers and 228 men, with laborers, number unknown; and at Walnut Creek P. O. the troops, formerly garrisoned at, and recently removed from, Fort Atkinson, on the Arkansas River, 1 company, 2 officers and 75 men.<sup>31</sup>

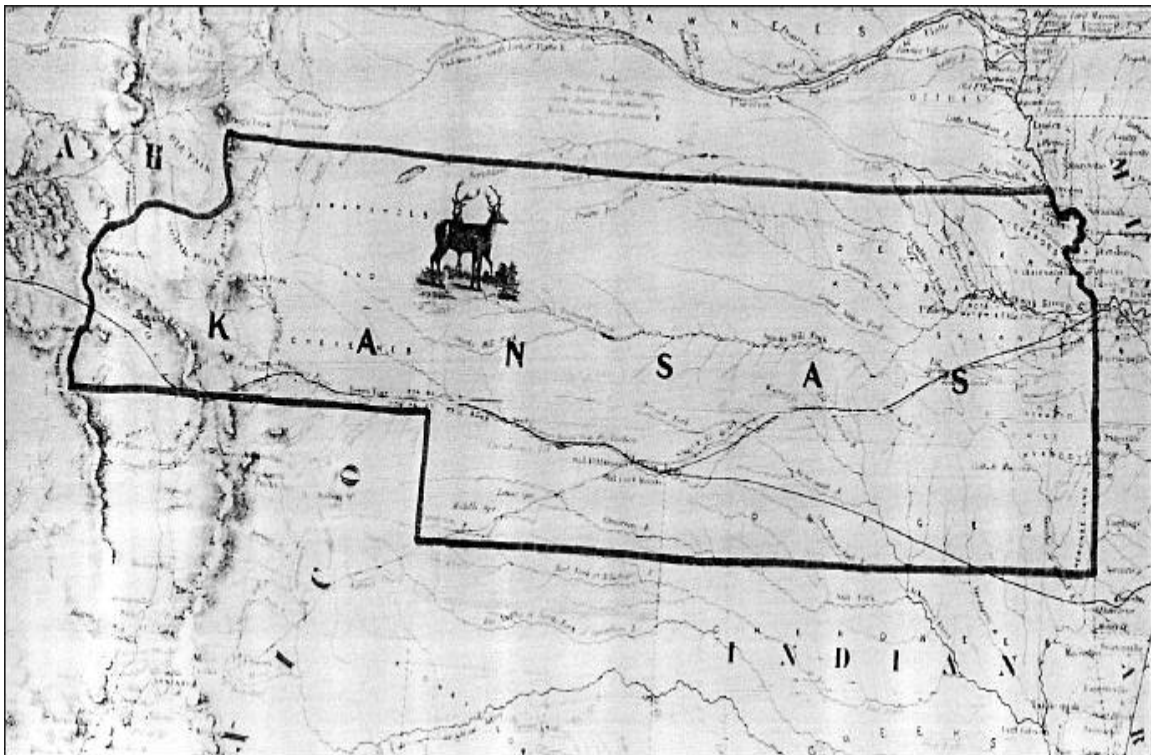


Figure 1. Nebraska and Kansas Map, 1854

Source: J. H. Colton, Map Nebraska and Kansas 1854; available from [http://www.kshs.org/publicat/khq/1967/67\\_1\\_map2.htm](http://www.kshs.org/publicat/khq/1967/67_1_map2.htm); Internet; accessed 15 November 2006.

Those 500 troops were also isolated from the rest of nation, due to their location on the frontier. Kansas, prior to becoming a territory, was Indian lands. Towns, for the

most part, were concentrated at the Missouri-Kansas border. The two primary posts within the territory were Fort Leavenworth and Fort Riley, in addition to some smaller posts such as Fort Scott. The map of northeastern Kansas (figure 2) shows the difficulty of Fort Leavenworth being north of the Kansas River while the majority of the population emigrated to communities south of the river. Fort Leavenworth was chosen as the headquarters post for the territory as Leavenworth was the only post that had reliable steamboat service and was near the last major communities on the eastern side of the Great Plains via the Missouri River traffic at the towns of Independence, Kansas and Westport, Missouri.<sup>32</sup> The main activity at Fort Leavenworth involved protecting wagon trains heading westward, dealing with Indian disputes and acting as a base of operations and logistics for other Army forts and camps further out on the frontier.<sup>33</sup> However, Fort Leavenworth did not have reliable telegraph communications until 1859.<sup>34</sup>

Communications from Fort Leavenworth to other forts could take several days by rider or coach. Other methods of communications to the outside world were also limited. A message from Fort Riley to Washington, DC, would have to be relayed to Fort Leavenworth, then by courier to Jefferson Barracks, Missouri, or to Kansas City, Missouri, to access telegraph lines. Even then, telegraphic communications were often not ideal, as the lines could fail. Information security was also an issue, as any relay station on the telegraph line could leak the government message to the press. For secure communications, the mail or a courier would be used. However, it was not uncommon for several weeks to pass before a message could be delivered to Washington, DC. Then one would have to wait for the officials in the Capital to formulate a response and the message return time. In the end, more than a month could transpire prior to receiving

advice from the Secretary of War or the President.<sup>35</sup> Thus many of the field commanders had a great deal of leeway in their actions. They just had to face the consequences of their actions after the political powers and the press judged their actions.

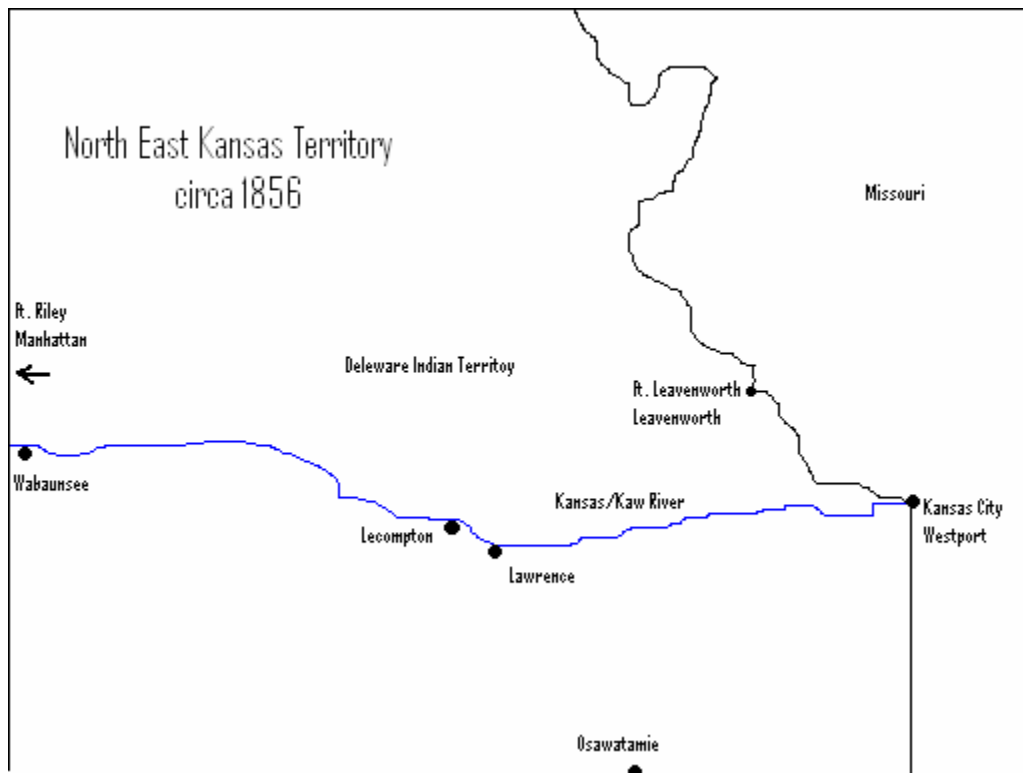


Figure 2. Northeast Kansas Territory Map

Note: Major Brian Riniker developed this map as existing maps do not clearly illustrate the difficulty of the Kansas River as a geographic obstacle to the Troops from Fort Leavenworth to respond to incidents on the Southern bank.

Another factor that limited the Army's capabilities in Kansas was the state of the Army personnel and equipage in the 1850s. Overall, the Army had difficulty in maintaining its pool of manpower. Living in disciplined barracks without a family, poor pay and hard work deterred many a recruit. Desertion was a factor that also affected the Army as it was easy to slip from the Army into the civilian population. Often the deserter

would leave with funds or weapons absconded from the unit. In Percival Lowe's *Five Years a Dragoon, 1849-51*, every chapter of his enlistment in the Army has at least one incident of desertion affecting the mission of his unit. Mr. Lowe served in the First Dragoons from 1849 to 1854 and achieved the rank of First Sergeant.<sup>36</sup> He was mainly stationed in Kansas at Fort Riley. After his discharge he served as a private contractor (teamster) for the Army at Fort Leavenworth and was present throughout the Bleeding Kansas crisis.

The antebellum Army had many difficulties with equipment to accompany their problems with manpower. Often many dragoons and cavalrymen had no horses to use and the rest of their gear was also in a poor state of supply. Their primary weapon, the "Musketoons," was so inaccurate as to not be used for hunting, units would carry one or more rifles for that purpose.<sup>37</sup> With their weapons often being outclassed by the arms of the civilian population, such as Sharps Rifles, the Army relied on their discipline, numbers and authority to influence any hostile groups they may encounter, rather than brute force, especially in the turbulent political situation they were about to encounter in Kansas.

Another complexity to the mission of the Army in Kansas was the immigrant wagon trains slowly traveling through the territory on their way to the far west. The Oregon, California, Mormon and Santa Fe Trails all extended through northeast Kansas, as they originated in the Independence, Kansas.<sup>38</sup> Fort Leavenworth had the responsibility for protecting the wagon trains in the early stages of their journeys. Due to the fort's capability of being the last easily resupplied Army post on the frontier by steamboat, Fort Leavenworth was the primary support base for the majority of the rest of

the Army's posts in the Great Plains and Rocky Mountain regions.<sup>39</sup> The trains were threatened by Indians not only in Kansas but throughout their entire length. This caused the Army to concentrate most of its effort along endless trails and against a mixed assortment of Indian tribes.<sup>40</sup> The large numbers of immigrants traveling the trails also complicated efforts to secure the borders of the territory during the Bleeding Kansas crisis which will be covered in later chapters.

Numerous exploratory expeditions departed the fort in the 1830s thru 1860s.<sup>41</sup> The fort also became the main effort for military expeditions to points further west, such as the Sioux expedition of 1855, the Cheyenne expedition of 1857 and the Mormon expedition of 1857-60, all originated from Fort Leavenworth. The Sioux operation in 1855 took 600 men, many from Fort Leavenworth, to the areas now known as modern Nebraska and Wyoming.<sup>42</sup> The Cheyenne expedition of 1857 took 6 companies of Dragoons and Cavalry to the far western stretches of Kansas.<sup>43</sup> The fort became the main staging area for the entire Mormon operation and saw the departure of 4 regiments of cavalry and artillery to Utah.<sup>44</sup> All of these expeditions took men and resources from Fort Leavenworth during the time period of Bleeding Kansas, leaving the remaining capabilities at Fort Leavenworth limited to perform actions during the Kansas crisis.

### Thesis Question

How did US Army leaders at Fort Leavenworth perform peace operations in territorial Kansas in an impartial and effective manner as demonstrated in their use of modern-day UN Peace Keeping Operations principles during the Bleeding Kansas crisis?

### Subsidiary Questions

Now that the situation and Army are introduced in chapter one, the thesis will explore the first of three subsidiary questions. These subsidiary questions will become the driving force of chapters two, three and four.

#### Subsidiary Question on the Actions of the Army Under The Command of Colonel Edwin Sumner.

The second chapter will cover the period of Colonel Edwin V. Sumner's time as commander of Army forces in the Kansas Territory, prior to 1854 until July 1856. This is when General Persifor Smith took command at Fort Leavenworth and the US Army's Department of the West. The Army's Department of the West command headquarters is also moved to Fort Leavenworth from Jefferson Barracks, Missouri, at that time.

One of the concerns in this chapter is the relationship between the political leadership of territorial governors, Andrew Reeding and Wilson Shannon, with the Army leaders in Kansas. The interaction between political requests, goals, and their effect on the military situation in Territory will be covered.

The second chapter will evaluate the actions of Colonel Edwin Sumner (Fort Leavenworth) and to a lesser degree, Lieutenant Colonel Phillip St. George Cooke (Fort Riley) in relation to the UN Peacekeeping criteria. For example, did Sumner and Cooke attempt to prevent the outbreak of conflict or the spill-over of conflict across state and territorial borders, primarily the influx of Missourians temporarily across the border into Kansas for voting and later the rise of violence and raids from the North (Free State James Lane) and the East (proslavery Missourians)?

Did they have any intelligence addressing the need to secure the border? Did they have any orders addressing them to secure the border, such as policy, jurisdiction, or precedent?

The issues of cease fires and peace agreements are in a lesser concern at this stage of the conflict, as there is no official political recognition of the Free State parties. Thus few ceasefires and peace agreements were attempted. However, on many occasions the Army had to act as an intermediate between the warring factions. The transition to stable governance will be addressed by any attempts of the Army to keep the peace.

#### Subsidiary Question of the Actions of the Army Under the Command of General Persifor Smith.

Chapter 3 will cover the time period from General Persifor Smith's arrival at Fort Leavenworth July 1856 through the Wyandotte Constitution 1859.

One of the concerns in this chapter is the relationship between the political leadership of Territorial Governors William Shannon, John Geary, and Robert Walker with the Army forces in Kansas. The interaction between political requests, goals and their effect on the military situation in Territory will be covered.

The goal of chapter 3 is to measure the actions of General Smith and to a lesser degree, Lieutenant Colonel Cooke (Fort Riley) and General Harney in relation to UN Peacekeeping criteria.

How did they attempt to prevent the outbreak of conflict or the spill-over of conflict across borders? Of primary interest is the influx of Missourians temporarily across the border into Kansas for voting, mass emigration of settlers (both sides) and

raiders from the North (Free State James Lane) and the East (Proslavery Border Ruffians).

Did they issue any orders addressing the troops to secure the border? If so, did the orders aid in securing of both the eastern and northern borders? Did these orders favor one side over the other?

The issues of cease fires and peace agreements, under Governor Walker and General Harney, are of importance at this stage of the conflict, as the Free State parties have gained numerical advantage over the proslavery parties. The transition of political leadership from Governor Shannon to Governor Geary and Governor Walker times in office is of special concern, as the public attitude of the Governor's office changed in relation to the Free State parties which affects the Army's orders in relation to them.

The Transition to stable governance is of interest at the end of 1859 as little is written of the army's action after the Wyandotte Constitution was enacted.

#### Conclusion Section and Relevance of the Army's Actions in Kansas.

Chapter 4 covers the conclusion and the "so what" relevance of the overall thesis. The question this thesis intends to answer or restate in this chapter is as follows: How did the US Army leaders at Fort Leavenworth perform peacekeeping operations in territorial Kansas? Was the Army successful in peacekeeping? What were the lessons learned from the Army's mission in Kansas? The last question to answer in chapter 4 is what did the actions of the Army's peacekeeping in Bleeding Kansas have that are relevant or irrelevant to our operations today?

This author intends to briefly cover the actions taken and reviewed in chapters 2 and 3 that appeared to be successful. This author also intends to analyze the issues

covered in chapters 2 and 3 that appeared to be unsuccessful. This author will also give reasons why they were or were not successful and the relevance to current activities in peacekeeping.

Kansas had a significant segment of the population that did not recognize the legitimacy of the elected government. This population called themselves the Free State. They viewed the territorial government as a puppet of outsider agencies (Missourian/Southern/Democrat). In reaction, the Free State population formed their own opposition and, at the time, extralegal government.

Violence from both internal and external agencies invading the area of operations is also relevant from Bleeding Kansas to modern peacekeeping operations. Southern and northern forces used the Bleeding Kansas troubles to exploit their own agendas, such as antislavery vs. proslavery factions, just as the people of many current conflicted nation states are divided due to the pressures of external powers, such as the US, UN, local and neighboring governments and nonstate actors, which may all be interfering with the internal affairs of the conflicted nations.

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<sup>1</sup>Tony R. Mullis, *Peacekeeping on the Plains: Army Operations in Bleeding Kansas* (Columbia and London: University of Missouri Press, 2004), 18-19.

<sup>2</sup>Tim Rues, Historic Lecompton Website, *Bleeding Kansas, Who Said That?* Kansas State Historical Society, 2004; available from <http://www.lecomptonkansas.com/index.php?doc=articles/bk-origin.php>; Internet; accessed 24 September 2006. The term “Bleeding Kansas” is widely credited to New York Tribune publisher Horace Greely; however there are several other plausible sources. Researching the source of the term would be exhaustive and plausibly the subject of another thesis. Regardless of the source, Bleeding Kansas was used in common vernacular to describe the crisis by the end of 1856.

<sup>3</sup>John H. Gihon, *Geary and Kansas, Governor Geary's Administration in Kansas, with a Complete History of the Territory until June 1857* (Philadelphia, PA: J. H. C. Whiting, 1857; reprinted, Freeport, NY: Books for Library Press, 1971), 18-19 (page citations are to the reprint edition).

<sup>4</sup>George Walton, *Sentinel of the Plains: Fort Leavenworth and the American West* (Englewood Cliffs, NJ: Prentice-Hall Inc., 1973), 1.

<sup>5</sup>Nicole Etcheson, *Bleeding Kansas, Contested Liberty in the Civil War Era* (Lawrence, KS: University Press of Kansas, 2004), 12-13.

<sup>6</sup>James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (Oxford: Oxford University Press, 1988), 66-68.

<sup>7</sup>Alice Nichols, *Bleeding Kansas* (New York, NY: Oxford University Press, 1954), 7.

<sup>8</sup>New Mexico, Utah, Nevada, and Arizona were also acquired from the Mexico American War along with California and Texas. Nevada and Arizona gained statehood after the Bleeding Kansas period and therefore not discussed in this thesis.

<sup>9</sup>McPherson, 71-77.

<sup>10</sup>*Ibid.*, 79-85.

<sup>11</sup>Etcheson, 3.

<sup>12</sup>McPherson, 121.

<sup>13</sup>Etcheson, 12.

<sup>14</sup>Gihon, 27-28.

<sup>15</sup>Mullis, 46-47.

<sup>16</sup>Etcheson, 23.

<sup>17</sup>McPherson, 124-126.

<sup>18</sup>Etcheson, 23-24

<sup>19</sup>Thomas Goodrich, *War to the Knife: Bleeding Kansas, 1854-1861* (Lincoln and London: University of Nebraska Press, 1988), 9.

<sup>20</sup>Etcheson, 36-38.

<sup>21</sup>McPherson, 145.

- <sup>22</sup>Etcheson, 3.
- <sup>23</sup>Ibid., 42-43.
- <sup>24</sup>Goodrich, 7.
- <sup>25</sup>Gihon, 33-34.
- <sup>26</sup>Mullis, 154.
- <sup>27</sup>Leland Goodrich and Edvard Hambro, *Charter of the United Nations, Commentary and Documents* (Boston, MA: World Peace Foundation, 1949), 583.
- <sup>28</sup>United Nations, Department of Peacekeeping Operations, Mission Statement; available from <http://www.un.org/Depts/dpko/dpko/info/page3.htm>; Internet; accessed 6 October 2006.
- <sup>29</sup>Department of the Army, FM 100-23, *Peace Operations* (Washington, DC: Government Printing Office, December 1994), 6.
- <sup>30</sup>Mullis, 28.
- <sup>31</sup>William G. Cutler, *History of the State of Kansas* (Chicago, A. T. Andreas, 1883), 1.
- <sup>32</sup>Both located in the current metropolitan Kansas City area.
- <sup>33</sup>Mullis, 16-17.
- <sup>34</sup>Walton, 99.
- <sup>35</sup>Mullis, 184-187.
- <sup>36</sup>Dragoons were an early form of cavalry used in the antebellum U.S. Army.
- <sup>37</sup>Percival G. Lowe, *Five Years a Dragoon, '49-'54 and Other Adventures on the Great Plains* (Kansas City: The Franklin Hudson Publishing Co., 1906; reprint Norman and London: University of Oklahoma Press, 1991), 107 (page citations are to the reprint edition).
- <sup>38</sup>Walton, 30-32.
- <sup>39</sup>Ibid., 27.
- <sup>40</sup>Mullis, 4-5.
- <sup>41</sup>Walton, 30-35.

<sup>42</sup>Ibid., 91-92.

<sup>43</sup>Ibid., 38.

<sup>44</sup>Ibid., 85.

## CHAPTER 2

### KANSAS BEGINS TO BLEED

From 1854 to 1856, Kansas went from a generally peaceful frontier into an area engulfed in guerrilla war. Two separate governments developed within the territory, each refusing to respect the other. One government, proslavery and elected through a legal process, was invalid in the eyes of many citizens due to voter fraud. The other government, antislavery and known as the Free State government, was created in October 1855, through a method not recognized as legal.<sup>1</sup> The competition of the two governments and ideology of slavery and alliances caused the territory to be invaded by outside forces of pro- and antislavery armed bands of men. The leader of Fort Leavenworth, Colonel Edwin Sumner, attempted, with varying success, to bring peace to the region. This chapter will examine Colonel Sumner's actions to counter the problem in Kansas during those tumultuous times.

#### First Territorial Election

President Franklin Pierce, a Democrat, faced the challenge of healing his party after the losses they took in the 1854 elections. In order to stem the losses of Democrats leaving the party in the north, in June 1854, he appointed a Pennsylvania lawyer, Andrew H. Reeder, to be the first territorial governor of Kansas. Reeder had never held political office before but he was considered a party loyalist.<sup>2</sup>

In October 1854, the governor arrived in the territory and in November, he ordered an election to decide on the territory's delegate to Congress. Reeder had a reason for having such a short time to hold an election. He desired to have the congressional

delegate in Washington by the beginning of the next congressional term.<sup>3</sup> John W. Whitfield, a Missourian, won in the election that would be the first of several controversial elections in territorial Kansas. Large numbers of non-Kansans, mainly Missourians, crossed the border and controlled the polling process. One of their main methods was to flood the voting site and if a Kansas resident was viewed as being antislavery, the Border Ruffians would intimidate him by force so he would not vote. A congressional investigation concluded that of the 2,258 votes cast in that election, 1,700 were fraudulent.<sup>4</sup>

The proslavery party was defining the position of Kansans who held no extreme views on the slavery issue. These Kansans were stereotyped into one camp or the other by the proslavery Kansans and their Missouri allies. Shortly after being elected, delegate Whitfield stated the following.

We can recognize but two parties in the territory-the proslavery and the antislavery parties. If the citizens of Kansas want to live in this community at peace and feel at home, they must become proslavery men; but if they want to live with gangs of thieves and robbers, they must go with the abolition party. There can be no third party - no more than two issues - slavery and no slavery, in the Kansas territory.<sup>5</sup>

The Congressional Committee that investigated the election of delegate Whitfield reported the following:

Thus your committee find that in this the first election in the territory, a very large majority of the votes were cast by citizens of the State of Missouri, in violation of the organic law of the territory. Of the legal votes cast, Gen. Whitfield received a plurality. The settlers took but little interest in the election, not one half of them voting. This may be accounted for from the fact that the settlements were scattered over a great extent, that the term of the delegate to be elected was short, and that the question of free and slave institutions was not generally regarded by them as distinctly an issue. Under these circumstances, a systematic invasion, from an adjoining state, by which large numbers of illegal votes were cast in remote and sparse settlements for the avowed purpose of extending slavery into the territory, even though it did not change the election, was a crime of great

magnitude. Its immediate effect was to further excite the people of the northern states, induce acts of retaliation, and exasperate the actual settlers against their neighbors from Missouri.<sup>6</sup>

### Second Territorial Election

Since the first election had so many non-Kansans voting Governor Reeder called for a census to be held in January and February of 1855, to determine how many people may legally vote. This was followed by the territorial legislature elections of March 1855.<sup>7</sup> The territorial legislature would normally determine the details of statehood for Kansas, in particular, whether Kansas would allow or ban slavery.

The proslavery party prepared to launch another invasion of Kansas. The *Leavenworth Herald* called for Missourians to flood into the territory for the election.

One article stated

To those having qualms of conscience, as to violating the laws, state or national, the time has come when such impositions must be disregarded, as your lives and property are in danger, and I advise you one and all to enter every election district in Kansas, in defiance of (Governor) Reeder and his vile myrmidons, and vote at the point of Bowie knife and revolver!<sup>8</sup>

The issue of another Border Ruffian invasion of Kansas was not a secret to the population, the governor, and the military in Kansas.

At this time, neither the military nor Governor Reeder attempted to secure the borders or the polling locations. Such a move may have prevented a repeat of the Border Ruffian incidents. There were US troops based at Fort Leavenworth. Colonel Edwin Sumner, commander of Fort Leavenworth, must have been aware of the impending invasion. Yet no references of any concern from the military or from Governor Reeder can be found. Governor Reeder did not request troops and the military did not recommend troop usage. For Colonel Sumner, the issue of securing the border was not a

legal concern for him. Traditionally, federal forces did not interfere with state or territorial matters against US citizens unless requested by the civil government when their own law enforcement and militia forces are exhausted. Only the President could authorize the use of the federal military forces against American civilians.<sup>9</sup> During the election of March 1855, the territorial government did not call upon law enforcement, territorial militia or federal forces to control the influx of Border Ruffians. However, neither Governor Reeder nor Colonel Edwin Sumner, commander of Fort Leavenworth could claim ignorance of an impending border invasion.

#### Army Situation During the Election

One reason for the apparent lack of Colonel Sumner's border security concern was that most of the military's focus in Kansas was on the Indians. In March 1855, the same month as the election for the Kansas territorial legislature, Fort Leavenworth had to send a large force to engage the Sioux. The Sioux, near Fort Laramie, killed 24 Army troopers in the previous fall.<sup>10</sup> In retaliation and as a show of force, the Army was launching a massive expedition against the Indians. The planning and positioning of men and resources occupied that winter. Due to the low numbers of Army forces available in the west, Fort Leavenworth would be operating with reduced forces as troops and officers were sent to fight the Sioux. Fort Leavenworth was tasked to send four companies and an artillery battery that would consist of almost 200-250 men, a significant amount for a post that normally was manned with fewer than 500 troops. Other western posts were similarly drawn upon for forces. The troops did not complete their operations until September 1855.<sup>11</sup> It is possible, due to the low numbers of forces available, that the

Army could not have mounted a successful border blockade during the territorial election of March 1855, if it was requested by the governor.

Another reason was the lack of pressure from the Pierce administration to secure the border. The Border Ruffians were installing a proslavery party in Kansas which was closely aligned with southern Democrats. The Democratic Party needed to keep southern support and Pierce was a Democrat. Thus there was less pressure from the executive office to order the Army to interfere with the political results of a proslavery party in control of Kansas. The Army had limits on its powers when dealing with citizens. It had to wait for the presidential authority before it could act against American civilians.<sup>12</sup>

#### Election Abuses

The elections of March 1855 were held and the problems with the Border Ruffians that occurred in November 1854, happened again. This time there were more antislavery immigrants in Kansas and they wrote prodigiously of the abuses they experienced to the newspapers back home in the north. Though the Border Ruffian vote together with the proslavery Kansas citizens carried the election, the abuses at the polls polarized many Kansans. Newspapers in the northern states lambasted the abuses at the polls while others in the south applauded the actions of the Ruffians.<sup>13</sup>

There were some abuses on the antislavery side as well. In the polls around Fort Riley, an election official named Thomas Reynolds complained of Soldiers voting and acting as election officials. These Soldiers voted overwhelmingly for antislavery candidates. It should be noted that the votes cast in that area may not have been motivated as much by slavery sentiment, but more influenced by having the proposed new state capital being placed in the town of Pawnee, now part of Fort Riley.<sup>14</sup> It should

also be noted that Governor Reeder had also invested in land in the town of Pawnee. Proslavery voters would logically want the new capital closer to the Missouri border, further away from Fort Riley.

#### Antislavery Citizens Removed from Territorial Government

The antislavery settlers used the grievance system to contest elections they believed hijacked by the Border Ruffians. They appealed to the governor. After a brief investigation, Governor Reeder's response to the protests was to refuse the issuing of certificates to legislature members from six out of the twelve territorial districts and called for new elections in those six contested districts in May 1855. The newly "elected" proslavery legislature refused to recognize the governor's power to call new elections. This time there was no great flood of Border Ruffians to upset the May elections. In five of the six districts antislavery men were elected. The sixth, the Leavenworth district, re-elected the same proslavery men as before in March. The legislature promptly refused to accept or seat all the antislavery legislature electors, except one whose election was never in question. He resigned voluntarily and all the newly vacant seats were filled with proslavery men.<sup>15</sup>

#### Territorial Government Capital Moved to Lecompton

In July, the new territorial legislature met in Pawnee, Kansas, and promptly voted to move the seat of government to Shawnee Mission, a town located near the Missouri border. This upset Governor Reeder due to his land investments in Pawnee. The governor vetoed the move but was overruled by two thirds vote of the legislature. Eventually, the legislature voted to place the new capital in Lecompton, a small village about 15 miles

northwest of the abolitionist settlement of Lawrence. Land grants to Kansas Territorial Justice Leconte and legislature members rather than strategic thought likely influenced the decision in selecting the location. From that time forward, the proslavery legislature was known as the Leconte Legislature.<sup>16</sup>

Geographically, locating the territorial capital in Leconte was not the optimal decision the proslavery party could make. Leconte was within Douglas County, which also contained the main abolitionist settlement of Lawrence. Therefore, Douglas County held two important cities, for both sides, within 15 miles of each other. Both Lawrence and Leconte were centers of gravity for their respective parties. Center(s) of gravity is a military term defined as, “those characteristics, capabilities, or sources of power from which a military force derives its freedom of action, physical strength, or will to fight.”<sup>17</sup> As seen in figure 3, both communities were in the northern section of Douglas County. To complicate the situation were the locations of other communities near Leconte. Less than 30 miles to the west of Leconte was the Free State settlement of Topeka, 10 miles to the east of Lawrence was the proslavery settlement of Franklin.<sup>18</sup> All four towns were on the southern bank of the Kaw (Kansas) River. All the above communities were easier to access from Westport, Missouri, than from Fort Leavenworth, due to the fort being north of the river. Few fords across the river were available and ferry service was also limited to the area of Lawrence.<sup>19</sup> Geographically, most of the early conflicts in Bleeding Kansas would occur within this limited area.



Figure 3. Map of Douglas County, Kansas

William G. Cutler, *History of the State of Kansas* (A. T. Andreas, Chicago, IL. 1883), 1. Note the map shows some towns, roads and bridges across the Kansas River that did not exist in the 1850s; however, it does show two sites now gone. The Battle of Franklin (location of Fort Franklin, east of Lawrence) and Camp Sackett 1856, U.S. Army temporary camp to secure Lecompton (Location slightly southwest of Lecompton).

### A New Governor Faces Two Territorial Governments

In the spring of 1855, Governor Reeder was recalled to Washington, DC, by President Pierce and by September 1855, Wilson Shannon arrived as the new Territorial

Governor.<sup>20</sup> Many Free State proponents speculated that Governor Reeder was not agreeable to the southern wing of the Democrat party and was replaced by a more compliant party man. Land speculation abuse was given as the official factor in his fall from office by the administration.<sup>21</sup> At the same time Reeder was dismissed, two out of the three territorial Justices were removed by the president for the same charges of land speculation abuse. They were also seen as not proslavery enough. The last justice, Samuel Lecompte, was retained even though he was extensively involved in land speculation, yet he was also the most proslavery of the three justices.<sup>22</sup>

Governor Wilson Shannon began his time in office when the situation in Kansas was becoming even more polarized. The antislavery settlers believed they had no voice in the territorial government. The offices of governor and territorial legislature were, they believed, firmly in the hands of the proslavery forces. The antislavery settlers decided to form their own territorial government. In September 1855 they held a convention in Big Springs, declared that the current territorial legislature was falsely elected and voted to form their own militia, legislature and delegation to the US Congress. They called themselves the Free State Party and elected the former territorial governor, Andrew Reeder, as their delegate to Congress from Kansas. In Lecompton, the proslavery legislature re-affirmed their delegate from the November 1854 election, John W. Whitfield.<sup>23</sup> Both the Lecompton and Free State legislatures applied for statehood but both refused to recognize each other. The situation rapidly degraded with both parties running separate elections and governments. In December 1855, Dr. Charles Robinson was elected as the Governor of the Free-State of Kansas in an election not recognized by the proslavery side.<sup>24</sup> The Free State legislature and their officials were viewed as illegal

by the Lecompton legislature, the territorial governor and the President of the US. In the US Senate and House, the issue of Kansas statehood was held up due to competing northern and southern, Democratic and opposition parties debate over which territorial party to recognize.

### Free State Population Arms Itself

In order to defend themselves from proslavery forces, the antislavery population began to arm themselves. Weapons began to flow into the territory from the northern states, past blockades set up by Missourians along the steamboat traffic routes on the Missouri River. Often the weapons were disguised as other goods being shipped, such as the famous Beecher Bibles. Wealthy abolitionist Henry Beecher purchased Sharps rifles for the Free State cause. The rifles were packaged in crates marked as Bibles in order to slip past border checkpoints.<sup>25</sup> Not all the arms were Beecher Bibles. James Abbott, one of the major arms procurers for the Free State forces, related his experience in obtaining arms and slipping them past the Missouri border in the summer of 1855.

Sufficient money was collected [from eastern donors] to pay for 117 Sharpe's rifles, a twelve pound brass howitzer, and quite a large quantity of fixed ammunition, and enough to pay the freight to Lawrence. The rifles were shipped to St. Louis to await my arrival. As some guns had already been captured by border ruffians while passing up the Missouri river, and as I had been notified that parties were on the watch for my arms, I desired to be present and attend to the shipping myself. The guns were put aboard a steamboat in packages not likely to excite suspicion, and directed to Harlow and Hutchinson, Lawrence. Two days after, I took passage on another boat for Kansas City. I had not been aboard over an hour when two men for whom I seemed to have some special attraction, came to where I was sitting and applied numerous questions as to my destiny, business intention, religious and political opinions, etc. I responded to all these advances and was soon on friendly terms with them.<sup>26</sup>

The Proslavery forces were attempting to seal the border and the Free State forces reacted by utilizing different methods to slip arms past the border. Both anti- and proslavery forces were arming themselves, determined to defend their beliefs.

### Population Changes in Kansas

Governor Shannon was the federally appointed governor of the Kansas Territory, and he had to deal with a rapidly polarizing population. On one side was the Free State party running an antislavery “illegal” government that was gaining in local popularity. On the other side was staunchly proslavery “legal” but controversially elected Lecompton legislature. Both sides were nearly equal in population. However, everyday more immigrants arrived from the north and east boosting the population represented by the illegal government, while the Lecompton legislature had a ready pool of manpower in Missouri.

Both Free State and proslavery parties were refusing to signal any sign that might be interpreted as legitimizing the other party. Thus they both boycotted any elections by the other side. In the October 1855 Free State elections, which chose former Governor Reeder as delegate, Reeder received 2,800 votes (proslavery populations boycotted this election).<sup>27</sup> That same month, another election was held in Kansas by the territorial government to resolve the issues of voter fraud that arose from the November 1854 polling. By that time, the antislavery population was boycotting the territorial government elections, allowing victory to Whitfield.<sup>28</sup> John Whitfield received 3,000 votes, including 857 Border Ruffian votes in that election boycotted by the Free State side.<sup>29</sup>

In one year, Kansas went from 2,258 votes being cast, with over 1,700 viewed as fraudulent, to 5,800 votes (both Free State and proslavery elections) with 857 fraudulent. Already the antislavery side was beginning to gain population. The numbers of fraudulent votes reduced from 1,700 in November 1854 to 857 in October 1855. The reduction in fraudulent votes was most likely due to the knowledge that Free State populations were boycotting the October 1855 elections.

#### Sheriff Samuel Jones Sparks a Need for Troops

To add to Governor Shannon's problems, Douglas County Sheriff Samuel Jones sparked a situation in Lawrence that was leading to open warfare. Sheriff Jones was the postmaster and resident of Westport, Missouri; however, this did not interfere with his election as Douglas County (Kansas) Sheriff. Border Ruffian votes and the Lecompton Legislature ensured that he would hold office.<sup>30</sup> To complicate matters, Douglas County contained both the main abolitionist settlement of Lawrence as well as the new proslavery capital of Lecompton. In November 1855, Sheriff Jones attempted to arrest a Free State man, Jacob Branson, who was threatening a proslavery man named Thomas Coleman because Coleman killed a friend of Branson. When Sheriff Jones arrested Branson and refused to do anything about Coleman committing a previous murder, several Free State citizens in Lawrence liberated Branson from the Sheriff's custody.<sup>31</sup> This set into action a chain of events that would threaten the security of Kansas.

#### Governor Shannon Calls on the Militia

Sheriff Jones sent a letter for aid to Westport, Missouri, and he stated the following after sending the message: "That man is taking my dispatch to Missouri and by

----- I will have revenge before I see Missouri!" After several proslavery Kansans in his party objected, he then sent a formal request for assistance to Governor Shannon for aid in arresting the citizens that prevented his apprehension of Branson.<sup>32</sup> The Governor authorized the use of the territorial militia in meeting the perceived armed threat to the legal (proslavery) authority in the area. Sheriff Jones, in his request to the governor, asked for three thousand men to help him "carry out the laws." Governor Shannon called upon his militia to defend the territory from this armed band of Free State men. He sent a request to Kansas Militia leader William P. Richardson "to collect together as large of a force as you can."<sup>33</sup> Richardson was living in Missouri, but he was an appointed leader of the Kansas militia by the proslavery legislature. Handbills were posted and letters written to various Kansas and Missouri communities near the Kansas border requesting men, arms and ammunition. By the first week of December, 1,500 men were raised, mostly from western Missouri, armed and assembled near Lawrence, at the juncture of the Wakarusa Creek and Kaw River.<sup>34</sup> At the same time, the Free State party was rallying its militias from various points in Kansas and Nebraska to aid in the defense of Lawrence, though their numbers were only 1,000.<sup>35</sup>

Governor Shannon soon regretted calling the territorial militia. The size and temper of the Missouri forces in the militia made him fear open warfare in Kansas. Governor Shannon wrote, "These men came to the Wakarusa to fight; they did not ask for peace; it was war-war to the knife. They would come; it was impossible to prevent them."<sup>36</sup> He knew that instead of calling out an organized militia, he authorized an unruly mob of angry men.

### United States Army during the 1855 Siege of Lawrence

Governor Shannon then attempted to call upon the US Army forces under Colonel Edwin Sumner's command at Fort Leavenworth; however, Colonel Sumner decided not to place his forces in the developing situation. He desired guidance and authority from higher command before involving his forces in a politically confusing affair. When Governor Shannon requested forces directly from Colonel Sumner, he put the Colonel in a difficult situation. There was no legal precedent for using Federal forces against US citizens unless authorized by the President. Colonel Sumner urged Governor Shannon to make his request for US Army aid to the President and to make it public. He believed that a public call for Army forces would act to "intimidate the rival factions."<sup>37</sup> On 1 December, Sumner also advised the governor to cease any movement and orders given to the militia by the territorial government; a portion of that message is quoted below.

I have just received your letter of this day. I do not feel that it would be right in me to act in this important matter until orders are received from the Government. I shall be ready to move instantly when I receive them. I would respectfully suggest that you make your application extensively known at once, and I would countermand any orders that may have been given for the movement of the militia until you receive the answer.<sup>38</sup>

Colonel Sumner assessed that the militia could become uncontrollable and cause greater harm than good. Some of the proslavery forces were concerned about the use of US troops in the conflict. J.C. Anderson, of a Missouri armed party, was concerned, "I fear that a collision between US Soldiers and the volunteers (proslavery forces) would be dreadful."<sup>39</sup>

It was Colonel Sumner's decision not to deploy to prevent the outbreak of conflict that was the first major violation of what is now known as UN peacekeeping rule one: Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.<sup>40</sup> If

the Army was deployed as blocking force between the two sides, they could have prevented further incursions across the border from Missouri and the Free State citizens could have felt more secure.

Colonel Sumner did have a reason not to deploy his forces. That was the lack of legal guidance. The Army works for the federal government, and can only be used when the federal government authorizes it. If he deployed his forces without authority from the president, or at least a public call for help from the governor, he would have been in a politically and legally indefensible position. If Governor Shannon would have made his request for aid public, then Colonel Sumner could claim that an emergency existed and he could not wait for communications from the War Department or the President.

#### Lawrence Siege Ends

Meanwhile, as a large body of Missourians and Free State Kansans massed at Lawrence, a standoff occurred. The Missourians were wary of the large numbers of Free State men and the Free State men realized that they were too outnumbered to take the offense. Governor Shannon went into Lawrence and personally negotiated a settlement of the situation between representatives of both Free State and proslavery parties. The citizens of Lawrence pledged to “aid in the legal process” against the rescuers of Mr. Branson. The Governor used their pledge as a method to convince the Missourians to disband. The bitter cold weather that arose during the standoff and the shortage of supplies helped to encourage the Missourians to disband and depart by the eighth of December.<sup>41</sup>

### Governor Shannon Receives Authority to use Army Forces

In the end, Governor Shannon realized that if he called upon the militia or citizens parties for aid, he stood a good chance of losing control of them, if he ever could control them. Therefore, the only forces in Kansas he could count on to be disciplined were the US Army forces. However, he did not have the authority to use them when needed. He needed clear cut authorization to use the Army, whenever the next possible conflict would occur.<sup>42</sup> Governor Shannon received the authorization to call on US Army forces from President Pierce in February 1856.<sup>43</sup> He received that permission and returned in March 1856 to wait for the next situation.

### Southern Reinforcements Arrive

In late April 1856, Major Jefferson Buford arrived with a party of 400 men from several deep southern states.<sup>44</sup> This influx of a large united proslavery party constituted a significant increase in proslavery military power, especially due to the factor that these men did not have to return home to farms and family. Governor Shannon had them armed with militia arms.<sup>45</sup> They were then attached to territorial marshal Israel B. Donelson's posse.<sup>46</sup> It is unknown if the governor thought of Buford's men as a semi-disciplined proslavery reinforcement to aid him in controlling the territory or if they were a proslavery unit of questionable reliability attached to the marshal to control. Either way, southern aligned forces were beginning to regroup in Kansas. Many of them viewed as a threat to the continued existence of Lawrence as a Free State stronghold.

The territorial government became more aggressive in challenging the Free State forces. A grand jury held in Lecompton, presided by the Chief Justice of the Territorial Supreme Court, Samuel Lecompte (the town of Lecompton was named for him), ordered

the arrest of Free State leaders Dr. Robinson, former Territorial Governor Reeder, and James Lane on charges of treason.<sup>47</sup> Judge Lecompte was considered one of the leading proslavery men in the territory.<sup>48</sup> In response to the threat of arrest, Reeder fled the state to east coast northern cities, Robinson was arrested while at the border in the process of fleeing the territory, and Lane went to Iowa to raise an army.<sup>49</sup> This left the Free State party vulnerable as their leaders were absent. Several other writs for other Free State men were issued.

Sheriff Jones received some of the writs and attempted to enforce them. As in November, Sheriff Jones faced resistance in his arrest attempts in Lawrence. He requested assistance from Governor Shannon in quelling the opposition to his authority in Lawrence.<sup>50</sup>

Normally a governor in such a situation would use the militia. However, as was illustrated earlier, Kansas had two main militia groups at that time. One a loose confederation of Free State domestically raised militias that did not obey territorial authority and the other a hodge-podge of militias made up of proslavery Kansan and Missourian forces. If these two forces collided, open warfare could ensue. His best option was the use of the federal troops at Fort Leavenworth. The US Army troops were disciplined and generally viewed as non-biased as any force in the region. Governor Shannon had just returned from Washington, DC, where the administration of President Pierce had formally recognized the Free State government as illegal. President Pierce also gave Governor Shannon the right to use Federal troops in case of emergency. Governor Shannon decided to call upon the US Army troops from Colonel Edwin Sumner's command at Fort Leavenworth.

Colonel Edwin Sumner faced a problem, as he was the senior military commander in the Kansas Territory and the Territorial Governor Wilson Shannon, was legally requesting help from the military. The President authorized the Governor to call upon US troops in a time of emergency, yet Colonel Sumner had little precedence on how to respond. The situation in Kansas was different than his dealings with the Native Americans, since both parties in this dispute were American citizens, with civil liberties and politically influential contacts in Washington. President Pierce and Secretary of War Jefferson Davis both desired that the Army aid the governor, but they were vague as how Colonel Sumner was allowed to help them.

Colonel Sumner authorized dragoons to aid the Sheriff in making his arrests . Using the dragoons was a prudent decision as they would act as a control on Free State citizens and the proslavery law enforcement. Neither side desired a confrontation with the Army. Both would lose influence with their political contacts in Washington if they openly confronted the military.

In Lawrence, the first contact between the dragoons and Free State citizens went well. On 23 of April 1856, when Sheriff Jones, his deputies, and the dragoons made a third search of a Free State house, the irate resident said “I have respect for the United States troops--you can search the house but as for that puke of Missourian, he shall not come in.”<sup>51</sup> After being in Lawrence for most of the day, Sheriff Jones and Dragoons encamped themselves outside of Lawrence. While he was alone in his tent, a shot rang out, Jones was wounded. However, no one claimed credit for the shooting and no hostility was shown to the US troops, but the proslavery newspapers in the border towns took up the cry for revenge.

Soon both sides engaged in banditry and raids with each other. Free State and proslavery settlers armed and fortified themselves. US Army troops awaited orders or requests for assistance from the Governor. Those requests would not come until the day the town of Lawrence was sacked.

### The Sacking of Lawrence

On the 21 May 1856, the Law and Order party, a posse made up of proslavery Kansans and Missourians marched on Lawrence to enforce the summons of the grand jury. They were formed as a posse under the authority of Territorial Marshal Israel Donelson.<sup>52</sup> This posse had approximately 800 men and two brass cannons. Facing them was the community of Lawrence ringed by breastworks but they were not manned. The leaders of the Free State had already fled. The posse waited outside while the Marshal with a small party went into the town. The citizens of Lawrence offered no resistance. They had no leadership at the present time. They allowed the Marshal to search the town and arrest the handful of individuals in town that had warrants. The Marshal fulfilled his legal obligation and with no recourse left, he sent a messenger to disband the posse. The messenger rode to the posse to tell them that they were no longer needed by Marshal Donelson; however, Sheriff Jones was in need of a posse. Immediately, most of the posse of 800 joined Sheriff Jones and raided the town of Lawrence. The Free State Hotel and the home of Dr. Robinson were torched and many other homes were looted. Due to the lack of resistance by the Free State population, the only death was one proslavery man hit by piece of rubble falling from the Free State Hotel.<sup>53</sup> Two nights later, a small group of Free State radicals, later to be identified as a party led by John Brown, murdered several

people in an event known as the Pottawatomie Creek Massacre. The violence in Kansas reached a new height.

Governor Shannon again became fearful of the mob assembled outside of Lawrence. He may have been unaware of the size of the posse assembled until they came within his presence, or he may have realized that the violence potential of the posse could overwhelm his authority. On 21 May 1856, the same day Lawrence was sacked; Governor Shannon requested military aid through Colonel Sumner. Shannon requested three companies of troops, two to be stationed near Lawrence and one near Topeka. He also wrote that “the only force I feel safe in using in these civil commotions is the troops of the United States.”<sup>54</sup> On 23 May, Colonel Sumner wrote to the Assistant Adjutant General of the Department of the West, Colonel Samuel Cooper, that he had dispatched four companies to Lecompton, Lawrence and Topeka under the command of Major John Sedgwick. Colonel Sumner believed that only a professional use of military force could “preserve the peace.”<sup>55</sup>

Colonel Sumner wrote several updates to Colonel Cooper, the Assistant Adjutant General, throughout the summer. These dispatches not only described the physical deployment of units but they also gave insight into Colonel Sumner’s opinion of the situation. In a letter dated 28 May, Colonel Sumner wrote to Colonel Cooper that he believed that Kansas was becoming unstable and he wished that the governor followed his advice earlier.

From present appearances, it looks very much like running into guerrilla warfare. If the matter had been taken in hand at an earlier day, as I earnestly advised the governor, the whole disturbance would have been suppressed without bloodshed. At that time we held a high moral position in the territory that would have looked down all opposition from all parties.<sup>56</sup>

On 2 June, Colonel Sumner again wrote to Colonel Cooper that “if the armed civilian posse had not been allowed to act as I earnestly advised the governor these disturbances would not have happened.”<sup>57</sup> In response to Sumner’s requests, on 4 June, Sumner related to Cooper that Governor Shannon issued a proclamation to all unlawful armed bodies in Kansas, regardless of party, to disperse and that the lawful military of the Territory will protect all regardless of party.<sup>58</sup> That same day, he also sent a request to Colonel Sumner desiring additional units placed around or near Free State strongholds and in defense of proslavery areas.

#### Colonel Sumner begins to distrust the Governor

The Army units encountered a different problem. While the governor desired the Army to place itself in positions to contain Free State forces, the proslavery forces were the most common aggressor encountered in the field. Colonel Sumner relates in his dispatch to the Assistant Adjutant General of 8 June, that while intercepting an armed band of Free State forces, he moved on his own intelligence to intercept a 250 strong armed proslavery party coming from Missouri. At the head of the party was the Lecompton legislature’s delegate to Congress, John W. Whitfield. Though it is possible that Whitfield and his party were ignorant of the proclamation of the governor, the size of the armed party and its leadership concerned Colonel Sumner. Colonel Sumner decided to counter any violence by both Free State and proslavery forces.<sup>59</sup>

In Colonel Sumner’s dispatch of 23 June to Colonel Cooper, he wrote how he moved some of his forces from a position in Douglas County towards Missouri and there he encountered two additional parties, one from Missouri and another from Alabama. Both returned to Missouri and the Colonel relates that he believed that the only armed

bands left were freebooters. Colonel Sumner also placed five companies on the Missouri line, beyond the Free State areas that the Governor desired them to be.<sup>60</sup> By the end of June the violence in the territory was easing.

The incidents of May and June 1856 showed how the Army was used to enforce the first rule of UN Peacekeeping, “deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.”<sup>61</sup> At first, the Army did not deploy to prevent the outbreak of conflict, mainly due to confusion of authority and having to await the request of the governor for aid. Once those issues were settled, Colonel Sumner pursued three major goals. One was to deploy forces to the area in greatest tension, Douglas County. The second was deploying to secure the Kansas border with Missouri. The third and most important issue was enforcing the proclamation of the governor disbanding illegal armed bands and protecting all citizens regardless of their party. The political and military leadership acting together provided the greatest chance for success; however, the situation changed in July 1856, when the Free State party attempted to incorporate a separate and illegal government.

#### Dispersal of the Topeka Legislature

The Free State party planned to have a legislative assembly in Topeka on the 4 July. Governor Shannon believed that the Free State assembly to be illegal and should be prevented as it was a challenge to the “legal” Lecompton legislature and territorial government. Governor Shannon was leaving the territory on family business, but he did request in a dispatch to Colonel Sumner dated 23 June 1856, that Sumner place two companies near Topeka to prevent the illegal legislature from meeting. He did not expect trouble but was emphatic that two governments could not exist in the same state at the

same time. At this crucial time, Governor Shannon left and Kansas's territorial Secretary of State, Dan Woodson became the Acting Governor.<sup>62</sup>

Colonel Sumner was in agreement that the Topeka legislative assembly should not be held as it was a challenge to the territorial government. In his dispatch to Woodson of 28 June, he requested civil authorities accompany him and his troops in order to make the Army's actions legal.<sup>63</sup>

Acting Governor Woodson was quick to act once he was in power. He sent a dispatch to Colonel Sumner on 30 June 1856, stating that he already requested that Colonel Philip St. George Cooke of Fort Riley "Scour the country between Fort Riley and the crossing opposite of Topeka."<sup>64</sup> He sent civil law officials, a judge and a US District Attorney. He also urged that Colonel Sumner be in Topeka personally with at least two companies.

In 7 July dispatch to Colonel Cooper, Sumner reported his actions on 3-4 July when he arrived in Topeka. He had assembled a total force from Fort Riley and Fort Leavenworth of five companies and some artillery under his command. Sumner marched this force in good order into Topeka. He read the proclamation from the acting Governor to the body of Free State legislature assembled. Most of the Free State politicians dispersed. Others were more stubborn but soon left when Colonel Sumner formed his units. In the end, the Topeka Free State legislature was dispersed without a shot being fired.<sup>65</sup> Overall, Colonel Sumner's controlled use of military power without resorting to violence was effective in achieving his goal of peacefully dispersing the people.

The dispersal of the Topeka Free State legislature, although legal and done without violence, was controversial. The administration of President Franklin Pierce was

not pleased with the situation in Kansas. The continued violence in the territory was being used to embarrass the Democrats by opposition parties. Pierce had already lost his party's nomination for re-election to James Buchanan. Buchanan's primary advantage was that he was in England during most of the troubles in the territory; as such he was one of the few high level Democrats not tainted by the Kansas situation. President Pierce's desire was to hold the Democratic Party together during the upcoming election as the northern wing of the Democrats was being threatened by the new Republican and the Know Nothing parties.<sup>66</sup>

President Pierce replaced Colonel Sumner with General Persifor Smith in July 1856. Colonel Sumner was officially replaced by General Smith due to the fact that Smith outranked all other Army officers in the Department of the West, therefore reducing any issues of confusion over authority and legalities, though many people felt that Sumner was replaced due to his actions not pleasing proslavery politicians.<sup>67</sup>

### Review of Colonel Sumner

If Colonel Sumner was rated against the UN Peacekeeping criteria of following points, Colonel Sumner rates adequate for the first step of peacekeeping; however, he never faced the opportunity to attempt actions related to steps 2-4.

UN Peacekeeping Criteria are as follows:

One: Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.

Two: Stabilize conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement.

Three: Assist in implementing comprehensive peace agreements.

Four: Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.<sup>68</sup>

In the area of deploying to prevent the outbreak of conflict, Colonel Sumner was reluctant to deploy troops prior to the elections and to prevent election fraud. He was hesitant to deploy troops at the request of the governor in order to separate parties massing at Lawrence in the winter of 1855.

There was a good reason for his hesitation. Colonel Sumner was legally limited in the actions he could do against American citizens. It was only after the governor received authority from the president to call upon the Army to aid in settling the troubles in Kansas, that Colonel Sumner could legally act, and then only upon the request of the governor. However, when he did deploy forces at the governor's request in May 1856, Sumner proved adaptable. His troops eased the level of violence, at least temporarily. By the end of June, in dispatches between Colonel Sumner and Governor Shannon, they both relate that Kansas was becoming more peaceful than it was earlier.

In the case of stabilizing conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement, Colonel Sumner did not have an opportunity. After he received permission from the Department of War and the President clarifying that he could deploy upon the request of the governor, there was no peace agreement made between the parties in Kansas. Colonel Sumner did use his troops to prevent the interaction of opposing armed groups; however, there was no cease fire to enforce.

As far as assisting in the implementation of comprehensive peace agreements and leading states or territories through a transition to stable government, based on democratic principles, good governance and economic development, these are also non-

applicable during the time of Sumner's command in Kansas. So given the limited opportunities Colonel Sumner had to establish peace in the territory, before he was replaced, the successes he did achieve are worth reciting.

Overall, his most successful use of the military was his ability to keep the perception of the Army as a powerful and professional institution in Kansas. When Army patrols came upon armed parties, they usually dispersed. In only one incident was a trooper wounded under Colonel Sumner's command in the Bleeding Kansas crisis. In a reply to Governor Shannon dated 31 May, Captain E. W. B. Newby reported that three of his troopers responded to a house that was reported to of been attacked. One of the troopers and two horses were wounded by gunfire from inside the house that may or may not have been intended to strike Army forces.<sup>69</sup>

The Army did keep enough of a physical presence and discipline with professionalism as not to be drawn into a shooting conflict with the various parties in Kansas. However, in Washington, DC, the debate between proslavery and antislavery aligned politicians held up the Army appropriations bill. This lasted until Secretary of War Jefferson Davis responded by replacing Colonel Sumner with General Persifor Smith.<sup>70</sup> The antislavery politicians were upset with Colonel Sumner actions, primarily for breaking up the Free State legislature in Topeka, an action they considered aiding the proslavery party. While the proslavery politicians held that there was a known sympathy of Col. Sumner for the Free-State men, this dissatisfaction of both political groups was believed to be the cause of his removal from command."<sup>71</sup> The reason Colonel Sumner broke up the Topeka Free State legislature was simple: the territorial and federal government viewed the Free State legislature as illegal. The proslavery Lecompton

legislature was the legal, though the controversially elected, legislature in Kansas.

Territorial Governor Shannon, President Franklin Pierce, and Secretary of War Jefferson Davis all supported the Lecompton legislature as the legal legislative body in Kansas. For Colonel Sumner to disobey the opinion of all the above parties would have been highly unlikely. As for the claim of the proslavery party that Colonel Sumner was sympathetic to the Free State cause, this was likely due to their frustration in his actions to disband both free and proslavery bands. Colonel Sumner followed orders and tried, with the best of his abilities, to fairly restore order in Kansas.

Did Colonel Sumner's actions match to the modern Army in the area of peace enforcement as stated in FM 100-23? According to FM 100-23:

Peace enforcement operations are normally conducted in several phases. The first phase may involve the insertion of rapidly deployable combat forces in order to establish a significant and visible military presence. Subsequent phases will involve the transition from a military presence to support for the development of competent civil authority.<sup>72</sup>

Colonel Sumner inserted the most rapidly deployable forces he had available, dragoons and cavalry, during the late spring and early summer of 1856 and their presence was significant and visible, due to the fact he placed them where they were most needed. When Sumner realized that the forces coming from Missouri were a threat to the stability of the region, he placed units along the Missouri border to deter their incursions. When Colonel Sumner dispersed the Free State Topeka legislature, he made sure he had overwhelming military power with him.

FM 100-23 also states the goal of Peace Enforcement (PE) missions:

The missions assigned to PE forces include the restoration and maintenance of order and stability, protection of humanitarian assistance, guarantee and denial of movement, enforcement of sanctions, establishment and supervision of protected

zones, forcible separation of belligerent parties, and other operations as determined by the authorizing body.<sup>73</sup>

In relation to the situation in 1855-56 Kansas, and with the resources Colonel Sumner had, he partially succeeded in accomplishing the above missions of peace enforcement missions. He restored order by using the presence of his forces to enforce denial of movement and disperse armed parties in Kansas. With exception of the Topeka legislature dispersal, he used the military as a neutral agent, as much as possible. The dispersal of the Topeka legislature could be interpreted as other operations as determined by the authorizing body, the authorizing body being the national and territorial governments.

Overall, Colonel Sumner's performance as commander of Army forces in the Kansas Territory from 1855-56 was neither exceptional nor disastrous. His greatest failing was not using the military to act as a separation power between the opposing Free State and pro-slave sides outside of Lawrence during the winter of 1855 which resulted in the community being sacked. He did not act during this incident due to questions over the ability of the governor to call on Army forces prior to the situation.

His greatest success was after deploying forces in May and June 1856. Those forces did reduce the violence in the region. He also dispersed the Topeka Free State legislature without resorting to violence.

In the end, since Colonel Sumner was removed from command in Kansas, whether he could have brought peace to the territory remains uncertain. However, when Colonel Sumner left Kansas, it was a territory still divided, with minor guerrilla actions continuing to occur. His use of Army forces reduced the violence, but the undercurrent of violence was still there. There were still two major parties desiring to fight each other

within Kansas. The underlying political discontent of the Free State people against their perceived lack of representation within territorial politics was still active. The proslavery and Missouri groups were continuing to impose their will on the political apparatus of the territory. Both parties were determined to control the government of Kansas and both were determined to use violence to achieve that goal.

Colonel Sumner and the Army could only do so much. There was a need for a political solution to the problems in Kansas. Governor Reeder did address some of the complaints of the Free State population by having recall elections in disputed districts, but he did not have the power to ensure those selected in the recall elections could hold their seats. Governor Shannon did use diplomacy to separate opposing armed parties in December 1855, but they reassembled and aggressed against each other later in the spring and summer. Governor Shannon did not develop a venue for peaceful resolution of the disputes between the parties.

The main lesson learned from Colonel Sumner's actions was that the military may be able to bring stability for temporary period of time. However, to end a crisis caused by a political problem, a political solution needs to be developed. Kansas had the political problem of the legal territorial government not being accepted by a majority of its population. Disputes over the legitimacy and control of the territorial government developed into guerrilla warfare, a miniature civil war. The problem was whenever the Army reduced the violence to a level that could allow some political advances to happen, none of the participants attempted to find a political solution. They continued to fight and Kansas continued to bleed.

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<sup>1</sup>Cutler, 20.

<sup>2</sup>Etcheson, 53.

<sup>3</sup>Cutler, 5.

<sup>4</sup>Etcheson, 53-54.

<sup>5</sup>Gihon, 33.

<sup>6</sup>Ibid., 35. Many individuals from this time period had honoree military ranks, usually from militias or political venues. I will normally only use military ranks recognized by federal authority unless it is used in quotes.

<sup>7</sup>Gihon, 38.

<sup>8</sup>Nichols, 26.

<sup>9</sup>Mullis, 158.

<sup>10</sup>Fort Laramie is in the current state of Wyoming.

<sup>11</sup>Mullis, 61-79.

<sup>12</sup>McPherson, 146-147.

<sup>13</sup>Gihon, 39-40.

<sup>14</sup>US Congress, *Report of the Special Committee Appointed to Investigate the Troubles in Kansas: With the Views of the Minority of Said Committee*, Report Number 200, prepared by William Alanson Howard and Mordecai Oliver, 34th Cong., 1st Sess. (Washington, Cornelius Wendell printer, 1856), AO 33-34.

<sup>15</sup>Gihon, 38-40.

<sup>16</sup>Etcheson, 67.

<sup>17</sup>Joint Chiefs of Staff, Joint Publication 5-00.1, *Joint Doctrine for Campaign Planning* (Washington, DC: Government Publishing Office, 2002), GL-3.

<sup>18</sup>The city centers of Topeka and Lecompton are on the same sites as they were in the 1850s, Franklin has been absorbed into the community of Lawrence. The past site of Franklin is on the map of Douglas County (figure 3).

<sup>19</sup>Lowe, 174-175.

<sup>20</sup>Gihon, 53.

<sup>21</sup>Nichols, 36.

<sup>22</sup>Gihon32.

<sup>23</sup>Etcheson, 73.

<sup>24</sup>Ibid., 74-75.

<sup>25</sup>Nichols, 86-87.

<sup>26</sup>“Reminiscence, Account of Obtaining Sharp’s Rifles,” in *Personal Account from James Abbott* (Kansas State Historical Society, James Abbott Collection, #252, Box 2, Folder 6,) item # 102421.

<sup>27</sup>Gihon, 44.

<sup>28</sup>Etcheson, 73.

<sup>29</sup>US Congress, *Report of the Special Committee*, 45.

<sup>30</sup>Gihon, 50.

<sup>31</sup>Mullis, 157.

<sup>32</sup>Cutler, 24.

<sup>33</sup>Gihon, 55-56.

<sup>34</sup>Ibid., 55.

<sup>35</sup>Ibid., 60.

<sup>36</sup>Ibid., 58.

<sup>37</sup>Mullis, 169.

<sup>38</sup>Cutler, 25.

<sup>39</sup>Gihon, 60.

<sup>40</sup>UN, Mission Statement.

<sup>41</sup>Etcheson, 86.

<sup>42</sup>Ibid., 87.

<sup>43</sup>Gihon, 72.

<sup>44</sup>Colonel Buford's rank was from the Creek Indian war, unknown if it was due to militia or federal service. In other sources he is referred to as "Major Buford."

<sup>45</sup>Walter L. Fleming, "The Buford Expedition to Kansas," *American Historical Review* 6 (October 1900): 38-48.

<sup>46</sup>Gihon, 73.

<sup>47</sup>*Ibid.*, 76.

<sup>48</sup>Etcheson, 78.

<sup>49</sup>Nichols, 100-101.

<sup>50</sup>*Ibid.*, 96-98.

<sup>51</sup>Nichols, 99.

<sup>52</sup>*Ibid.*, 103.

<sup>53</sup>Etcheson, 104-105.

<sup>54</sup>US Congress, Senate Executive Documents, *Report of the Secretary of War*, 34th Cong., 3rd sess. (Washington, Cornelius Wendell Printer, December 1856). Wilson Shannon to Edwin Sumner, 21 May 1856, 38.

<sup>55</sup>US Congress, Edwin Sumner to Samuel Cooper, 23 May 1856, 36.

<sup>56</sup>US Congress, Edwin Sumner to Samuel Cooper, 28 May 1856, 41.

<sup>57</sup>US Congress, Edwin Sumner to Samuel Cooper, 2 June 1856, 42.

<sup>58</sup>US Congress, Edwin Sumner to Samuel Cooper, 8 June 1856, 44-45.

<sup>59</sup>*Ibid.*

<sup>60</sup>US Congress, Edwin Sumner to Asst. Adjutant General, 23 June 1856, 50.

<sup>61</sup>UN, Mission Statement.

<sup>62</sup>US Congress, Wilson Shannon to Edwin Sumner, 23 June 1856, 51.

<sup>63</sup>US Congress, Edwin Sumner to Dan Woodson, 28 June 1856, 53-54.

<sup>64</sup>US Congress, Dan Woodson to Edwin Sumner, 30 June 1856, 55.

<sup>65</sup>US Congress, Edwin Sumner to Samuel Cooper, 7 July 1856, 56-57.

<sup>66</sup>McPherson, 157-160.

<sup>67</sup>Mullis, 192.

<sup>68</sup>UN, Mission Statement.

<sup>69</sup>US Congress, E. W. B. Newby to Wilson Shannon, 31 May 1856, 43-44.

<sup>70</sup>Nichols, 133.

<sup>71</sup>Cutler, 38.

<sup>72</sup>Department of the Army, FM 100-23, 7.

<sup>73</sup>Ibid.

## CHAPTER 3

### GENERAL SMITH GOES TO KANSAS

With the troubles in Kansas becoming an issue for the upcoming November presidential election, President Pierce decided to send a new team into Kansas. One member was General Persifor Smith and the other the newly appointed territorial Governor John W. Geary.

Secretary of War, Jefferson Davis, on 27 June 1856, wrote to General (Brevet) Smith about his (Smith) appointment to become the commander of the Department of the West and to relocate it from Jefferson Barracks, Missouri, to Fort Leavenworth.<sup>1</sup> The general accomplished the headquarters move and arrived in Kansas on 18 July. General Smith's appointment made sense as he was the newly selected commander of the Department of the West and a loyal Democrat. His appointment would ensure that Kansas' issues would have the personal attention of the senior Army officer in the West, who had assured his loyalty to the President's party.<sup>2</sup>

President Pierce selected Governor Geary as governor mainly due to his reputation as the man who tamed San Francisco. As the city's first mayor, he turned that chaotic gold trading boom town into a community of law and order. Most importantly for the president, Geary was also considered a loyal Democrat.<sup>3</sup> Geary known as a man who had the ability to get the job done, he was desperately needed in Kansas. Historian William Cutler wrote the following of Geary's appointment.

He was chosen as the fittest man to quell the disorders of the Territory, and thus rescue his party from national defeat in the pending Presidential election, which defeat seemed almost certain, unless the civil war and consequent outrages in Kansas--accounts of which were daily increasing popular indignation throughout

the North against the Democratic party, viewed as the source and head of all Kansas' woes -- could be brought to a sudden end.<sup>4</sup>

Governor Geary was appointed in July 1856, but would not be able to take charge of affairs until September, due to his need to travel to Washington to confer with the President, and the time needed for travel to Kansas.<sup>5</sup> As such, General Smith would have to work with the Governor until Shannon resigned in August and Acting Governor Daniel Woodson until Governor Geary arrived in September.

General Smith had to balance the use of the military in Kansas with three different Governors; each one with a different methodology in dealing with the opposing parties in the territory. General Smith would have to maintain the delicate balance of military power in the polarized situation of Kansas' while coordinating with three separate territorial governors within four months.

### A Problem with Trust

In his dispatch to Colonel Cooper on 14 July, Smith stated that the two opposing parties in the territory were calm. However, he also stated that many "lawless bands" were roaming the countryside.<sup>6</sup> General Smith, as Colonel Sumner before him, started to notice a pattern with the aid requests from the proslavery territorial government.

For example, the incident of James Lane leading his antislavery armed band across the Kansas-Nebraska border provides illustration of the lack of communication and trust between the governor and the general. Lane was considered the bane of the proslavery party. Soon all attacks, or rumors of attacks, against proslavery forces were considered as raids from Lane's party.<sup>7</sup> Lane was elected to the represent Kansas as a Free State delegate by the Free State party in 1855 and he did lead several bands of

armed men into Kansas to combat proslavery forces. Lane was also the most powerful antislavery political leader left operating in Kansas as other prominent Free State leaders were incarcerated or fled the region. The other two Free State leaders, Dr. Robinson (Free State Governor) was still under arrest in Lecompton and former Territorial Governor Reeder was in the New England area raising funds and building political contacts.<sup>8</sup>

In July, James Lane had already armed and assembled 250 to 300 men in Iowa and marched into Kansas from the Nebraska border. “At Iowa City, while Iowa Governor James Grimes obligingly looked the other way, abolitionist raided the state arsenal and carted off several loads of weapons.”<sup>9</sup> General Smith wrote in a 14 July dispatch to Colonel Cooper that Lane was rumored to be marching but was not reported to have crossed the Missouri River.<sup>10</sup> General Smith reported in another dispatch to Cooper, dated 11 August, that Governor Shannon requested General Smith “take the field with his whole disposable force” to intercept a perceived raiding party led by James Lane.<sup>11</sup> The general sent a single company of troops north as the governor requested, they reported no action or hostile parties in the area, nor did they find any camps. Smith observed “that each party is trying to engage the action of the troops in expelling their adversaries.”<sup>12</sup> This distrust of the governor and other local intelligence sources may have allowed Lane’s army to slip through the Nebraska-Kansas border as a single company of troops would have difficulty patrolling the vast Nebraska border.

The general suspected the request by the governor was a ruse in order to draw US Army forces away from securing the Missouri border, allowing proslavery parties easier access into Kansas. General Smith also considered that the governor could be overreacting to rumors and panic. He did not trust the reports he was getting from the

civil authorities, thus he had to develop his own sources that he and his field commanders could rely on, to give honest intelligence on the situation in the territory.

General Smith's distrust of Shannon and later Woodson, may have been influenced by information he was receiving from his officers. Most of them were in Kansas since the crisis began and would have had an intimate knowledge of the politics of the region. In Smith's 14 July letter to the Colonel Cooper, Smith stated that he did meet with Colonel Sumner prior to Sumner's departure and he (Smith) believed that most of the violence in the territory was due to lawless bands supported externally from Kansas. He further wrote "that if the violent parties were reduced for a few weeks that they would dwindle away due to the lack of funds."<sup>13</sup>

The distrust between the military leadership (Smith) and the political leadership (Shannon and Woodson) within the territory reduced the effectiveness of peacekeeping. There were too many parties in Kansas working against each other. In the territory there was a population of citizens needing protection from roving bands of armed men from both sides of the slavery issue. The normal force established to provide protection (militia) was not operating adequately to protect the population and the next layer of protection (Army) was not cooperating with the civilian governorship. The capability of the military to follow what is now interpreted as UN peacekeeping functions was severely hampered by the lack of cooperation between the governor's office and the military. Without cooperation between the political and military leadership, the ability stabilize conflict situations was near impossible. General Smith distrusted Governor Shannon and acting Governor Woodson for good reasons, but he needed the cooperation of the territorial governor to solve the Kansas situation.

### Effect of Army Patrols

The Army patrols initiated by Colonel Sumner and continued by General Smith had an effect on both anti- and proslavery parties in Kansas. The antislavery forces had begun a program to avoid importation of arms and fighting men through the Missouri border. They smuggled through the northern border of Nebraska where the vast distances made Army patrols difficult. Peter Page wrote to Thaddeus Hyatt, a Free State sponsor from the east, on 6 July 1856, of his difficulties attempting to infiltrate antislavery fighting men and equipment into Kansas through Missouri. He first attempted to go through the northern route of Iowa and Nebraska. However, Mormons traveling to Utah had already taken most of the wagons available.<sup>14</sup> Against the advice of James Lane, he hired a steamboat to try and run the proslavery blockade along the Missouri border. The boat was intercepted by proslavery forces that had been driven out of Kansas by Colonel Sumner's patrols.

It seems Col Sumner had driven out Buford & the Georgians & Carolinians who were there at Lexington with many of the Missourians, and on the arrival of the Boat she was boarded by some hundreds of them thoroughly armed with [Illegible] and other arms. They also had seven pieces of cannon so arranged as to bear directly upon the Boat.<sup>15</sup>

The proslavery forces defeated this attempt of Free State reinforcement through Missouri and confiscated their supplies and arms before sending the men on their way. James Lane and other antislavery fighters found the northern route of penetrating Kansas through Nebraska more efficient as they could avoid proslavery border security in Missouri.<sup>16</sup> They could also avoid Army patrols as the northern border region was vast and relatively unpopulated when compared to the eastern border with Missouri. Once they were in Kansas, they could operate from antislavery communities such as Topeka and Lawrence.

As non-Kansan, proslavery forces were sent back to Missouri, they could exert greater control on the steamboat trade on the Missouri River. This also put them at a greater distance to respond to any Free State actions west of the Missouri border region. Proslavery leaders were concerned about their ability to maintain power in the territory as they relied heavily on those reinforcements from Missouri to aid them in their fighting. As seen in Mr. Page's letter, Army patrols started by Colonel Sumner and continued by General Smith restricted their ability to operate freely in Kansas. In Douglas County, the area where the Free State town of Lawrence and the proslavery capital of Lecompton were situated, the Free State forces had the advantage. The proslavery forces had to secure the territorial capital of Lecompton as this was their symbolic center of their power in Kansas. Yet, Lecompton was far from the Missouri border and reinforcements.

#### Murder of an Emissary

In August, a murder of a Free State man by proslavery forces initiated a new round of violence. In retaliation, the Free State party struck a blow that threatened the proslavery party security of Lecompton.

On August 12, Maj. D. S. Hoyt, an esteemed citizen of Lawrence, volunteered, against the protests of his friends, to visit Fort Saunders and confer with Col. Treadwell, who commanded the encampment, as to the adoption of some means whereby peace might be restored and the general pillage on both sides be stopped. He went without arms into the camp, where he was cordially received. On his return he was accompanied by two men, who, on reaching a piece of woods not far from the camp, murdered him in cold blood. They fired two balls into his body and shot him through the head after he had fallen. They put some corrosive substance on his face to disfigure him, and, leaving his body half buried by the wayside, returned with his horse and effects to the camp. This brutal murder so exasperated the Free-State men, that a party of the more impetuous determined to take summary and quick vengeance by attacking the strongholds of the Proslavery bands that infested the county, and destroy or drive them out.<sup>17</sup>

The murder of Hoyt set into action the ire of the Free State armed bands and rallied them to fight the proslavery militia. Their first target for organized attack was to eliminate the proslavery stronghold outside of Lawrence, to not only revenge the murder of their comrade, but to also eliminate a key enemy position and logistical base.

### Fort Franklin Incident

On 12 August, 87 Free State men attacked and took the proslavery fort of Franklin, a fortified farm community east of Lawrence.<sup>18</sup> It had been the assembling point for Missourians when they mustered to threaten the Free State city of Lawrence. Only 14 defenders of Fort Franklin were present to defend it when the Free State forces attacked and set fire to the building occupied by the defenders, shortly thereafter the 14 fled.<sup>19</sup> With the defeat of Fort Franklin, the Free State forces had eliminated the proslavery stronghold on their eastern flank. They also captured several arms, including a cannon and ammunition.

By defeat of Fort Franklin, the proslavery forces were denied the stockpile of arms located there and lost a valuable assembly point for forces arriving from Missouri. The loss also increased their logistic challenges to apply pressure Lawrence and protect Lecompton were greatly restricted.

### Lecompton Threatened and Fort Titus Attacked

In August 1856, a Free State army assembled in Lawrence and marched onto Lecompton. The territorial capital was in a dire situation. Lecompton was situated on the southern bank of the Kaw River with the Free State town of Lawrence to the southeast and the Free State town of Topeka to the west. According to Governor Shannon's request

for aid to General Smith, dated 17 August, a Free State force of almost 2,000 men faced 120 armed proslavery defenders. The only group that stood between Lecompton and Free State forces was approximately 100 US Army troops encamped nearby, at Camp Sackett, commanded by Major Sedgwick.<sup>20</sup>

General Smith wrote to the Adjutant General, dated 29 August, concerning the 16 August attack of Free State forces upon Fort Titus. Fort Titus was a reinforced farm of proslavery militia leader Henry Titus which acted as the proslavery party's outer defense for the town of Lecompton. Fort Titus was based about two miles from the US Army encampment of Sackett.<sup>21</sup> About forty proslavery fighters were based at Titus and once the fort fell, there was a general stampede of proslavery citizens fleeing Lecompton. The commander in the field, Major Sedgwick, placed his small command in a blocking position between the fort and the town of Lecompton and after the governor joined them, the Army moved to the battle site of Fort Titus. By the time the major and his forces arrived, the fort was taken and the Free State force had departed with nineteen prisoners. The governor ordered that Major Sedgwick and his command of thirty men proceed to Lawrence and take the prisoners back, by force if necessary. The major realized that the governor could call for Army forces, but only the military commander in the field could decide on how those forces were used. Major Sedgwick estimated the Free State force as over 800 men; as such he held fast and requested reinforcements.<sup>22</sup> Governor Shannon then used diplomacy and exchanged some Free State prisoners from earlier engagements for the Fort Titus prisoners.<sup>23</sup> Meanwhile, Major Sedgwick's call for reinforcements was answered by General Smith.

Major Sedgwick was proactive in having his forces in position to rapidly respond to threats to Lecompton. Yet when Fort Titus was attacked he assembled his forces and waited for Governor Shannon to arrive before moving his forces. Sedgwick's primary mission was to protect the community of Lecompton and if he took his men to the nearest sign of battle, the territorial capital would be exposed to attack from another force. By waiting for the arrival of the governor, Sedgwick ensured that the senior civil leader of Kansas was within his protection. By showing restraint in not attacking the Free State forces in Lawrence, the major demonstrated patience. Not only was he facing superior numbers, but he was also facing the challenge of the political leader (Shannon) attempting to control him and his military forces. Major Sedgwick had to reinforce to the governor that he (Sedgwick) was the military commander on scene and the situation was now a political problem, requiring a political solution. The military objective was securing Lecompton; the issue of negotiating prisoner releases was a political situation. General Smith also responded to the major's request by boosting the military forces in the area to reinforce the field commander and give him more options. The general correctly saw that the critical area of conflict within Kansas was going to be in Douglas County, centered on the communities of Lawrence and Lecompton.

#### Lawrence and the United States Army Standoff

General Smith called upon all the forces he could muster. By 19 August, the First Cavalry Regiment (minus two companies) joined forces with a squadron of the Second Dragoons plus a company of artillery massed near Lecompton. The commanding officer in the field was now Lieutenant Colonel Phillip St. George Cooke. General Smith wrote an order to Lieutenant Colonel Cooke on 19 August to avoid encroaching on the power of

civil authorities and to treat any claims by the civil authorities with caution. The repeated abuses by the proslavery territorial government had exhausted the trust of General Smith.

Cooke was reminded in the ending section of the order to avoid bloodshed. General Smith stated

In conclusion, the general begs and directs you to avoid as long as possible any appeal to arms; use every endeavor in your power to bring those who are in opposition to the law to a sense of their error; especially avoid small conflicts, and consider the shedding of another citizens blood as the greatest evil that can happen except the overthrow of law and the right which must end in civil war.<sup>24</sup>

Lieutenant Colonel Cooke deferred from entering Lawrence as that action might result in violence. The Free State forces held their positions within the town while almost 500 US troops assembled outside of Lecompton under the command of the Lieutenant Colonel. He was obeying General Smith's command to avoid an appeal to violence and was demonstrating sound judgment in avoiding involvement of the Army in a political situation that still possessed the potential for peaceful resolution. The Free State party was not going to attack of the Army and as long as the Free State forces were staying put in Lawrence, they were not causing mischief in the rest of the territory.

The actions of Lieutenant Colonel Cooke, Major Sedgwick and the orders given to them by General Smith showed logic and restraint. They understood that the Free State forces did not want to engage the Army and that their actions could be curtailed by the presence of federal troops. The presence of US troops accomplished their mission of stopping Free State military action without resorting to violence. If they chose the course of action of attacking the Free State men, that use of force could have eliminated the image of the US Army being impartial in the debate between the anti- and proslavery forces in Kansas. There also existed the matter of tactics; Major Sedgwick faced a Free

State force of 800 (by his estimate) versus his force of 30 men. Later, after Lieutenant Colonel Cooke joined him, the Army had 500 men. Yet a military attempt to ouster the Free State forces would have resulted in unneeded bloodshed and drastic political consequences in Kansas and Washington. In Kansas, the Free State forces were gaining in numbers and the antislavery political parties throughout the nation were waiting for an incident to galvanize anti-Democratic opposition.

### Missourians Gathering for Invasion

Meanwhile, a general call to arms was made by proslavery territorial forces and newspapers for aid from the proslavery stronghold of Missouri. This call to arms was characterized by the standard sensationalism of the newspapers, at that time. The *Weston, Missouri*, newspaper reported that the Free State forces under James Lane's command were burning proslavery aligned settlements throughout the territory and that all the proslavery towns in Douglas County have been destroyed and women violated.<sup>25</sup> L. J. Hamilton, a proslavery legislature representative wrote the following appeal to Missourians dated 16 August 1856.

*Friends of Law and Order*--The Abolitionists have come on us this morning about daylight, whipped and taken prisoners our men. Lecompton is taken, and deserted by the women and children. These are Lane's men, about eight hundred strong. The United States troops are also whipped and beaten. Will you come to our rescue before we are all murdered? We are out of powder and lead and every kind of ammunition. Our friends are now stationed in Sheriff Jones' house, as many as can and will fight to the last. Will you help us? If so, come at once. Unless we get help we will all be murdered.<sup>26</sup>

Major George Deas, General Smith's Assistant Adjutant General, relayed reports to Lieutenant Colonel Cooke that large numbers of Missourians were gathering at the border.<sup>27</sup> The large numbers of armed men crossing the border was of great concern to

the general. Smith wrote to Cooper on 29 August, that he was concerned as the press reports would inflame the passions of Missourians to seeking revenge.<sup>28</sup>

#### Acting Governor Woodson takes Office

At this the high point of violence in Kansas, a calm leader was needed at the head of the territorial government. However, as related by General Smith to Cooper on 29 August, Governor Shannon decided that this was an opportune time to resign.<sup>29</sup> Shannon left the territory exhausted and years after Bleeding Kansas, Shannon recounted the following, “Govern Kansas in 1855 and 56! You might as well attempt to govern the devil in hell.”<sup>30</sup> Governor Geary’s secretary John Gihon wrote the following of Shannon’s mental condition when he left the territory.

He [Shannon] had fled in haste and terror from the Territory, and seemed still to be laboring under an apprehension for his personal safety. His description of Kansas was suggestive of everything that is frightful and horrible. Its condition was deplorable in the extreme. The whole Territory was in a state of insurrection, and a destructive civil war was devastating the country. Murder ran rampant, and the roads were everywhere strewn with the bodies of slaughtered men. No language can exaggerate the awful picture that was drawn; and a man of less nerve than Gov. Geary, believing it not too highly colored, would instantly have taken the backward track, rather than rush upon dangers so eloquently and fearfully portrayed.<sup>31</sup>

Shannon was replaced by Acting Governor, Territorial Secretary of State, Daniel Woodson, until Governor Geary arrived in September. Acting Governor Woodson, a staunch proslavery man, rapidly made use of his new authority. The proslavery forces had a staunch ally in Woodson and acted quickly to make use of him before the arrival of Governor Geary.

The proslavery press now assured, until the arrival of Gov. Geary, of the full, heart-felt and unscrupulous co-operation of the Acting Governor, put on anew its war paint, and urged a sharp, quick campaign of extermination.--The Proslavery men keenly appreciated the importance of quick, decisive work. The work to be

effectual must be done, to avoid risks of governmental interference, while Woodson remained in power, and that so thoroughly that his successor could not undo it, if he would. With no Free-State men left in the Territory, Gov. Geary would find none to protect.<sup>32</sup>

General Smith faced a dilemma, Acting Governor Woodson called out the territorial militia, which at that time, was made up of some proslavery Kansans and large numbers of Missourians. Many of the armed men from Missouri, recently enrolled in the militia, would now be legally free to operate in Kansas. The General wrote to Cooper on 29 August, that he believed the Missourians would be inflamed with anger from the newspaper reports and attempt to wipe out the town of Lawrence or other Free State strongholds. The Free State party would likely respond with bloodshed, possibly leading to civil war.<sup>33</sup> The problem for the Army in attempting to curb the violence was the legal restriction they had in countering moves by the legal militia. Acting Governor Woodson, the leading civil authority in the territory, was using his powers to legalize an armed band of Americans to wage war against another band of Americans. Woodson's political solution for the problems in Kansas was to use the militia to damage as many of the Free State force as possible. Meanwhile Free State forces were holding on to their beliefs and their armaments. The threat of extreme violence, shattering any hope for peace and stability in Kansas, was increasing.

#### Colonel Cooke Reports from the Field

In late August and September 1856, Lieutenant Colonel Phillip St. George Cooke commanded the Army field units dividing Lecompton and Lawrence. Woodson constantly called on him to provide large bodies of troops to aid in arresting Free State people in Lawrence wanted for treason against the territorial government. Lieutenant

Colonel Cooke sent small bodies (squads) of troops with territorial Marshal Donelson into Lawrence. Captain S. S. Sibley reported to Lieutenant Colonel Cooke on 30 August, that the Free State population did not resist the federal troops. However, individuals who were warranted for arrest would always disappear or become hidden within the population prior to the arrival of the marshal and Army.<sup>34</sup>

Cooke's action of supporting the letter of law by federally escorting the marshal in delivering writs for arrests eliminated one of the main reasons for the militia to be in existence. The acting governor desired the marshal to encounter resistance by the Free State population, that resistance could then be used as an excuse to attack the town of Lawrence by the militia. The federal troops escorting the marshal ensured that the writs were carried out peacefully, denying the proslavery forces a reason to accelerate the violence.

Using military forces to escort marshals was not uncommon prior to the *Posse Comitatus Act of 1877*. In an 1854 US Attorney General opinion, the Army and any other organization may be called upon to aid a marshal in performing his duties.

A marshal of the United States, when opposed in the execution of his duty by unlawful combinations, has authority to summon the entire able-bodied force of his precinct as a posse comitatus. This authority comprehends, not only bystanders and other citizens generally, but any and all organized armed force, whether militia of the State or officers, soldiers, sailors, and marines of the United States.<sup>35</sup>

Besides aiding the marshal in enforcing writs, the presence of the Army outside of Lawrence and Lecompton acted as a defensive barrier for the communities. Any attacker would have to engage the US troops prior to the towns. However, Lieutenant Colonel Cooke only had approximately 500 troops, divided between two separate communities.

### Problems with the Legality of the Proslavery Militia

The militia was posing another problem for the Army. Smith complained to Cooper in a dispatch dated 10 September, that the Army could not legally interfere with operations of the militia due to the fact that they were an authorized legal armed body, under the authority of the acting governor of the territory.<sup>36</sup> In Lieutenant Colonel Cooke's dispatch of 31 August to Deas, he reported the territorial militias were burning Free State farms in Douglas County. When Cooke addressed his concerns to the Acting Governor, Woodson said "that he would inquire into it and correct it."<sup>37</sup> Then 200 territorial militiamen burned down yet another farm. Lieutenant Colonel Cooke suspected that his presence emboldened the militia to commit their actions against the Free State population as his forces were legally powerless to stop them, yet the Army could legally stop Free State activities.

To add to Lieutenant Colonel Cooke's dilemma, Acting Governor Woodson demanded from the Lieutenant Colonel on 1 September, that most of the command of Cooke to be placed under Woodson's authority in order to suppress the "insurrectionary combinations and invasive aggressions against the organized government of the territory of Kansas." In the same request, Woodson also ordered Lieutenant Colonel Cooke to "invest" his forces at Topeka, level defenses and "make prisoners." Then he was to drive north to intercept any Free State forces using "Lane's trail."<sup>38</sup>

Lieutenant Colonel Cooke's response to the acting governor on 2 September, tersely responded that he could only use force against armed bands resisting legal authority. Since he faced no armed resistance when aiding the marshal, he felt following the acting governor's orders would be unwise. He also noted in a second dispatch of the

same day, that some citizens went to the acting governor to address the issue of their property being stolen by militia elements. They were promptly arrested by the acting governor.<sup>39</sup> Cooke was growing frustrated by the abuses of the territorial government; in particular the arrest of individuals he believed did not deserve imprisonment for complaining about the loss of their property.

G. W. Hutchinson, a Lawrence merchant, whose teams had been stolen on the way to Leavenworth and his teamsters taken prisoners; and Mr. Sutherland, the mail-carrier between Lawrence and Leavenworth, whose hack and driver had met the same fate. They first appealed to Col. Phillip St. George Cooke, who was in command of the United States troops at Lecompton, having come in from Ft. Riley two days before. He referred them to Woodson. While in his presence telling their story, they were seized as prisoners by the Territorial militia. Col. Cooke was indignant at the outrage, and made repeated demands on the Governor for their release, to no purpose. Woodson's replied that they were-seized as spies in the enemy's camp, and were held as prisoners of war.<sup>40</sup>

In another dispatch, also dated 1 September, Captain D. B. Sackett, US Calvary, reported to Lieutenant Colonel Cooke that he observed several armed parties in Douglas County and also noticed that there was not a single inhabited farm within miles of Lecompton. The only farmer Sackett saw was evacuating himself and property to Lawrence for protection.<sup>41</sup>

On 3 September, General Smith (through Major Deas) praised Lieutenant Colonel Cooke for not obeying the request of the acting governor to “wage war” on the Free State citizens. Though a governor could call on the Army for aid in dealing with insurrections, in the General’s opinion, the acting governor had over reached his authority.<sup>42</sup> General Smith’s analysis of the acting governor’s actions was logical. Looking at Woodson’s actions, it is obvious he intended the militia to have a free hand against the antislavery Kansans and the Army would not be able to legally react to stop them. Yet, General Smith’s capabilities to rein in the activities of the militia were limited. Lieutenant Colonel

Cooke's also showed restraint as his actions showed the wisdom of not allowing Army forces to be used as a pawn of the acting governor. Army leadership in Kansas was determined not to allow their troops to be used as a force for either party in the affairs of Kansas. The problem for the army was the ability of the militia to commit violence, destabilizing the territory without the army having the option to stop them.

#### Militia Forms to Threaten Lawrence then Disbands

On 3 September, Lieutenant Colonel Cooke observed the territorial militia formed near Lawrence. In a dispatch to Major Deas, he stated "the intention was to use the militia at Lawrence, if strong enough, to enforce obedience by arms."<sup>43</sup> Meanwhile, the same day, Cooke received a plea from the Free State representative H. Moore in Lawrence for federal aid and protection. Lieutenant Colonel Cooke was irritated Moore signed the request as the "Secretary of the Kansas State Central Committee."<sup>44</sup> Since Kansas was not a state, the Free State forces were claiming to have authority that they did not legally possess.

Cooke was beginning to feel the stress of constantly being between two opposing parties with a limited ability to influence their actions. He and his subordinates were constantly seeing the proslavery militia abusing their power and the Free State forces denying the legality of the territorial legislature. Both sides adapted techniques to control the army to benefit their own causes. The Free State party used the army's presence and their non-violent stance, to the Army and marshal, to prevent the militia from having a legal reason to raid Lawrence. The proslavery forces could reinforce their forces by using Missourians in their militia, who could cross the border legally without interference from the Army. With most of the Federal forces remaining near Lawrence and Lecompton,

both sides could find ample maneuver room to strike the other in the surrounding countryside. However, the Free State's party the situation in Kansas was going to improve in September.

### Reasons for the Collapse of the Militia

On 4 September, Lieutenant Colonel Cooke wrote to Deas that proslavery militia forces were dispersing outside of Lawrence.<sup>45</sup> There were several reasons cited for this, such as the low morale within their ranks, exhaustion and a lack of logistics. In sum the territorial militia was falling apart as a cohesive unit.

Low morale of the militia units in the Lecompton area was due to their exposed position. Unlike units near the Missouri border, the Lecompton units were guarding a town far beyond proslavery lines of support. Since Fort Franklin fell, they were isolated and vulnerable to Free State attack. Not only from Free State forces striking from Lawrence, but on 4 September, another Free State unit commanded by James Harvey took positions on the northern bank of the Kansas River, isolating Lecompton from all support from Missouri.

Their [Harvey] presence the night before on the opposite side of the river, where they could successfully cut off retreat from the town in case of an attack, became known soon after their arrival, and threw the Territorial militia encamped there into panic and confusion. Moreover disagreements had arisen among the leaders themselves, a part rebelling against the work of burning and pillaging which Woodson had assigned them to do. A respectable minority absolutely refused to further pursue that mode of warfare. On the appearance of Harvey's troops, and in anticipation of the coming of another force from the other side, several officers having already left the camp and returned home in disgust, Gen. [militia rank] Richardson, having no confidence in his disordered and inharmonious command, decided to resign, which he did on the morning of the 5th. During the day, Woodson dismissed the forces, as of no further use to him either for offensive or defensive purposes, and also arranged to return the prisoners to Lawrence.<sup>46</sup>

The militia members from Missouri were also stressed as they had to leave their domestic affairs every time they went into Kansas. The militia members from both Kansas and Missouri were fearful for their own lives and property and could not afford to leave their homes near the border for long periods of time. The territorial militia was becoming more Missouri dependent, which could surge to large numbers but their ability to stay in the field for an extensive period of time was beginning to weaken. In his book War to the Knife, Thomas Goodrich gives his account of why the Missourians and proslavery forces were fading away.

The region nearest Missouri remained for the most part, under proslavery control; farther into the state was another matter. As an ever increasing flood of Free State fighters flowed down from the north, the southern tide began to recede.--While some proslavery settlers had fled to Missouri, more sought safety at the capital [Lecompton].<sup>47</sup>

Another problem for the proslavery militia was their deteriorating image they had with Kansans. Their lack of discipline combined with a little to no logistics in the territory, affected the proslavery party ability to supply the militia and drove many Kansans to the Free State side. When Governor Geary asked the proslavery militia commissary official, L. A. Maclean, how he supplied his forces in the field during the summer of 1856, Maclean responded with the following:

Governor Geary: Well, were the rations ready?

Maclean: Yes, by G-d! Ready that morning and every other for as long as we were in camp, about two weeks.

Governor: But how did you manage it?

Maclean: That was d----d easy. I was up before daylight; got out a number of wagons, and started parties in every direction, with orders to go to the stores and dwellings, get all the provisions they could find, and drive in all the cattle; and they returned with a pretty generous supply.

Governor: How did you raise the funds to pay for all this?

Maclean: Funds! By G-d, we didn't pay a d----d cent! We pressed it all!<sup>48</sup>

This pressing of goods (taking without payment) from Kansans drove many of the citizens into opposing the territorial government or fleeing the regions where the militia was most active. Soon the combination of men in the militia having to leave their homes in Missouri and the abuses of militia alienating the population of Kansas weakened the proslavery position within the territory.

Free State Forces Threaten Lecompton:  
Army saves Lecompton, again.

On 6 September, Free State forces again marched on Lecompton. When their forces appeared, sniping attacks began and panic gripped the territorial capital. Lieutenant Colonel Cooke immediately sounded "Boots and Saddles," the Army's call to arms, in order to rally his forces. Sara Robinson, the wife of Free State Governor Charles Robinson, was tending her husband under arrest by territorial officials, observed the scene and wrote the following account.

Three messengers from Lecompton, to Colonel Cooke followed each other in quick succession. They reported one thousand men about to attack Lecompton. There was soon an unusual stir in the camp. The different bugles sounded, and in just thirty five minutes after, the troops began to move towards Lecompton; not in a body, but at the earliest moment each company was ready.<sup>49</sup>

According to Samuel Walker, a Free State militia leader, Lieutenant Colonel Cooke "formed four quadrants in line and charged us, sword in hand." Walker ordered his men not to resist and Colonel Cooke halted his troops one hundred yards in front of them. Lieutenant Colonel Cooke said "Walker what in.....are you doing here?" Walker

replied “We are after our prisoners.”<sup>50</sup> Since Cooke knew more about the situation of the prisoners than Walker, he negotiated with the Free State armed party leader.

The territorial government kept large number of Free State prisoners in the federal camp at Lecompton. The authority of who was paying for the upkeep of the prisoners and their security was a constant irritant between the Army and the territorial government. Major Deas wrote to Lieutenant Colonel Joseph E. Johnston on 24 August, that in an attempt to settle the Kansas situation, President Pierce had already pardoned several prisoners.<sup>51</sup> Lieutenant Colonel Cooke informed Major Deas on 5 September, that he promised the Free State forces that the prisoners had already been released and would be escorted to Lawrence once he received the official pardons. This promise satisfied the Free State forces and they withdrew.<sup>52</sup>

Lieutenant Colonel Cooke’s use of restraint and diplomacy was again the saving grace for the capital of Lecompton. Without the army’s presence, the community would have been conquered by the Free State forces. Cooke rapidly placed his forces in a blocking position to defend the town and peacefully negotiated a settlement of the issue without using force, yet if violence did happen, he had his forces there to handle the situation. Having a disciplined force under the command of a level headed commander that understood restraint prevented the situation from escalating further.

Although Lieutenant Colonel Cooke was able to stay a disaster in Lecompton, the small US Army force could not be everywhere in the territory at once, throughout Kansas raids were happening by small parties. The territorial legislature constantly complained of raids against small proslavery towns by either Free State forces under the command of James Lane or from Topeka. In reality the proslavery side was losing their hold on

Kansas, as they could not maintain an indefinite force of Missourians in the field and the population within the territory was joining the Free State side.

The reason many Kansans joined the Free State side is best described by army teamster Percival Lowe when he met an old friend G. W. H. Golding from Leavenworth (town, not the fort) at the Kansas River ferry outside of Lawrence. Golding related he and several other individuals were forced to leave their homes in Leavenworth due to their not openly endorsing the cause of proslavery statehood. With Missouri being hostile to them, they decided to walk to Lawrence. On their way to Lawrence, they were accosted, robbed, shot and left for dead by proslavery forces. Golding was wounded and feigned death. Afterwards he walked to Lawrence. Lowe said of the attitude of the people at that time.

The percentage of abolitionist among the Free State men was very small. The sentiment of nearly all men northern states and many from Missouri and other southern states was in favor of making Kansas a free state. They did not care to meddle with slavery where it existed, but wanted the new state free, where they hoped to make homes, because they believed it best for them and their families.<sup>53</sup>

Due to the abuses they received from the proslavery side, the theft of goods by the “militia,” and the violence, it is of little wonder that the population was turning against the proslavery party.

The proslavery party was not only losing their militia from Missouri due to the domestic demands on the members of the militia, but they were also losing the people that came to settle a slave state to the Free State party. Eroding morale and conflicts within their organizations were increasing due to divergent views of brutality and morality. Percival Lowe relates an argument within a group of proslavery Georgian volunteers.

Some Georgians present had come to Kansas to settle--preferably to make Kansas a slave State, but to settle any way and make the best of it. In the meantime some of them had become so disgusted with the so called "Proslavery" gangs, as represented by the "peace makers" above referred to and the crowds that came over from Missouri to carry the elections, that they leaned towards the Free State party as representing the better element, and finally some of them concluded to and did act with that party.<sup>54</sup>

#### General Smith Describes the Situation to Washington DC.

General Smith sent a dispatch to Cooper on 10 September 1856. In the dispatch, General Smith related that in his opinion, there were four major parties in Kansas. The first party was one that formed the territorial government (proslavery). The second was those who formed the counter government (Free State). The third was proslavery parties from Missouri. General Smith thought some of the Missourians in the militia would stay but many of them were returning disgruntled due to the false reports. The last party Smith believed was brigands that exploited the crisis for their own profit and had no real allegiance with any party. In General Smith's eyes, all the above parties, with the exception of a few individuals within the territorial government, have disregarded or abused the law.<sup>55</sup>

In the same dispatch, General Smith related that Acting Governor Woodson attempted to abuse his civil authority and tried to draw the US forces away from separating the Free State and proslavery parties. Acting Governor Woodson attempted to have Lieutenant Colonel Cooke and his forces march onto Topeka to counter a large Free State armed band. Cooke did not fall for the ruse and according to General Smith, if the Lieutenant Colonel did as the acting governor ordered, the Missouri party would have collided with Free State forces in Lawrence. While skirmishes were happening throughout the territory, the main body of potential violence was centered in Douglas

County. The largest armed bands of all parties were there and the Army was the only thing holding them in check. General Smith's and his field commanders trust in the acting Governor was mostly nonexistent at that time.<sup>56</sup>

To aid General Smith, on 3 September, Secretary of War Jefferson Davis decided to call upon the states of Kentucky and Illinois for two regiments of militia each for service in Kansas.<sup>57</sup> The idea of calling for militia from both free and pro-slavery aligned states made sense to Secretary Davis. They would equalize sentiment of all parties involved and be under direct control of General Smith. Neither, General Smith or the incoming governor, John Geary requested this action.<sup>58</sup> For two new military forces to be introduced into the Kansas situation would have complicated the situation for the General.

General Smith could not settle the problems in Kansas by military force alone as he did not have the enough regular Army troops to secure the entire area. With Kansas the major focus of the commander of Department of the West in 1856, the violence was continuing. Adding new forces from militias of Kentucky and Illinois would place more Soldiers in the field, but those troops would need logistics and may or may not be controllable. What Smith needed to succeed was a political leader in Kansas he could work with, an individual that wanted to find a political solution to the political problems of the territory.

#### Governor Geary Arrives, General Smith has a Trusted Ally

There was a need to diffuse the violence in Kansas and General Smith realized that the military cannot act alone without political support. Yet, the political powers in the Kansas territorial government could not be trusted. Fortunately, the newly appointed

territorial governor, John Geary arrived in September. Together, the general and the new governor developed a plan to diffuse the situation in Kansas.

The first part of their plan, General Smith on 10 September, requested Secretary Davis, through Cooper, to cease the call for militias from other states as there were too many armed parties in Kansas already. Having militias of unknown quality and loyalties entering into the mix would confuse the situation more for the general and governor. The second was the need to control the Kansas militia which was causing a great deal of the instability in Kansas. General Smith also continued to place the Kansas situation as the top priority above other situations happening within the Department of the West, such as a Cherokee uprising in western Kansas, and he also requested funds to re-equip the Army units as they were low on horses and had poor artillery.<sup>59</sup> There was a need to concentrate military power in the territory in order to stabilize the region prior to the elections and he needed material to use that power.

#### Territorial Militia Disbanded and a New Militia Formed

Governor Geary issued a proclamation on 11 September, to disband all territorial militias in Kansas. With this, he denied the proslavery forces their legal right to form large armed bodies of men.<sup>60</sup> Governor Geary then issued a second proclamation that same day. He called upon all military aged men in the territory, to muster for a new territorial militia, to be called upon in emergency, under the command of the Department of the West. In other words, Governor Geary called upon men of all parties to be in the new militia under the authority of General Smith.<sup>61</sup> This was a vital decision. With this single proclamation the only legal armed body of men in Kansas would be the Army and

the militia under its control. This would bureaucratically free the hands of the military to act against any forces they view as a threat to the peace.

This proclamation was one of the most important actions done by General Smith and Governor Geary. By the political and military leadership working together, Geary and Smith laid the foundation for the second UN peacekeeping goal “Stabilize conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement.”<sup>62</sup> Not only were the proslavery forces causing instability denied the opportunity to act with protection of the law, it also provided an avenue for Free State forces to be controlled. With the best and most disciplined men of both parties drawn into the Kansas Militia, all other armed parties were considered illegal, easing legality complications for the Army and militia to act against them. This also provided for the first time an indigenous legal armed presence for protecting the antislavery and neutral population in Kansas. This single act laid the ground work for stabilizing the region.

#### United States Army Stops the Missourian “Kansas Militia”

On 14 September, Governor Geary called upon the Army to “prevent a collision” of forces marching towards Lecompton. In a dispatched dated 16 September, Lieutenant Colonel Cooke reported to Major F. J. Porter (who replaced Major Deas as the Assistant Adjutant General for Smith) the situation he and Lieutenant Colonel Johnston had with a force of Missourians. With a squadron of dragoons and five companies of cavalry, Lieutenant Colonel Joseph Johnston (Cooke was ill) blocked a party of 2,500 armed and uniformed Missourians.<sup>63</sup> The next day Lieutenant Colonel Cooke (now recovered) and Governor Geary rode out to the Missourians. When the Governor reached the advance guard he asked them who they were. They said “we are the territorial militia called out by

his Excellency, the Governor of Kansas. We are marching to wipe out Lawrence and every damned abolitionist in the country.”<sup>64</sup> Governor Geary informed them he was the new Governor of Kansas and that they needed to take him to their commanders. Once he came upon the territorial militia commanders, they were identified as the same group that repeatedly came from Missouri, such as Senator David Atchison, Delegate James Whitfield and Sheriff Samuel Jones. The Missourians were under the impression Acting Governor Woodson was still the authority in Kansas. Governor Geary met with the leaders of the Missouri party and informed them their services would not be needed and they should return home as they no longer had legal authority. Lieutenant Colonel Cooke wrote to Major Porter on 16 September, how he reinforced the governor’s statements by the subtle threat that the US Army would back Governor Geary and the law. The Missourians, faced with no legal recourse other than to withdraw, departed.<sup>65</sup>

Though Governor Geary possessed the legal authority to order the old militia to disband and disperse, it was the US Army that had the power to enforce the orders of the Governor. Lieutenant Colonel Cooke still controlled his forces as he worked with the governor and provided the show of force needed to legitimize the authority of the executive office of Kansas.

#### Hickory Point Incident, Army Captures 101 Free State Men.

At the same time, Captain Thomas J. Wood (US Army) went north with a squadron of cavalry to investigate reports of a battle near Ozawkie, about 20 miles north of Lecompton. Captain Wood reported to Cooke on 16 September, the details of the incident. A Free State armed band (not in the new militia) defeated a proslavery force at a spot called Hickory Point. Captain Wood found the Free State force relaxing after the

battle. He surrounded and took them prisoner without a struggle.<sup>66</sup> The prisoners numbered 101 and they had "one brass field-piece, seven wagons, thirty-eight United States muskets, forty- seven Sharpe's rifles, six hunting rifles, two shot-guns, twenty revolvers, fourteen bowie-knives, four swords, and a large supply of ammunition for artillery and small arms."<sup>67</sup> Captain Wood's actions deserve credit as he took a large party prisoner without resorting to violence. The fact that they surrendered without a struggle demonstrated that they did not fear abuse from the Army.

After news of the disbandment of the proslavery Missouri forces and the capture of 101 antislavery fighters, some Free State proponents in Lawrence questioned the governor's and the Army's impartiality. Governor Geary justified his and the Army's actions stating that the Hickory Point antislavery fighters knowingly acted in defiance of the law, while the Missouri forces were acting under the belief that they were legally acting under the authority of Acting Governor Woodson.<sup>68</sup> In both of the above incidents, the Army and the territorial governor were working together to stabilize the territory by providing a professional military force (the Army and eventually the new militia) and eliminating the lawless bands within the territory by disbandment or arrest.

### Rebuilding Trust in the Territorial Government

General Smith and Governor Geary began the process of installing the image of a territorial government being impartial in dispensing justice. This was a difficult challenge as the territorial legislature and justice systems were still firmly proslavery. To counter this, Governor Geary raised two companies of militia, one Free State commanded by Samuel Walker and the other proslavery commanded by Henry T. Titus. Both militias were to report to, and be under the authority of, General Smith.

One of the first assignments of Colonel Titus (new militia rank), was to arrest Charles Hays, a famous proslavery aligned murderer. By having a former proslavery militia commander arrest a proslavery criminal, this sent a signal to the population the law would be upheld, not abused, with impunity by individuals from one side. Proslavery brigands soon realized that the days of rampaging in Kansas was over while it also started to show the government would act to uphold justice for the Free State population.<sup>69</sup> The new Kansas Militia was being used as a force to promote stability, not as a force of one party's abuse. If the population and the government could trust the new militia, then the Army could be relieved of their duties attempting to stabilize Kansas and return to their other duties, such as controlling Native American activity on the frontier.

#### Reestablishing the Election Process

The next issue to prove that Kansas was stabilized was to ensure safe elections in 1856 that would have both parties voting. Within the territory, the election would become a gauge of two issues. One was the ability of the government to protect the polls from violence and intimidation from either Free State or Border Ruffian Missourians. The other was the turnout of both free and proslavery voters within the territory. Outside of the territory, the importance of the Kansas election was related to the embarrassment that violence in Kansas caused to the Democratic Party, who controlled the appointment of territorial officials. Violence or abuse by the territorial government in Kansas was seen as a political target for opposition parties. One of the reasons that President Pierce sent Governor Geary and General Smith to Kansas was to stabilize the situation, hopefully prior to the election.

Governor Geary ordered the territorial elections for the Kansas legislature be held on 6 October 1856. His greatest need was to convince the Free State party to abandon their own illegal government and vote in the territorial elections. The Free State population had reasons to be skeptical, as most of the previous territorial elections involved the polling being dominated by Missouri Border Ruffians controlling the voting process through intimidation. This domination allowed the “elected” legislature to enact a severe proslavery government on the territory. The Free State population perceived the resulting territorial government as being decisively antagonistic to anyone not proslavery. In order to get the Free State population to vote, they needed to feel secure at the polls.

If Governor Geary could get the Free State population to vote in the October elections, then Kansas would be on the way of achieving what is now called the third and fourth UN Peacekeeping goals.

Three: Assist in implementing comprehensive peace agreements.

Four: Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.<sup>70</sup>

Free State participation in the election process would be a concession by them to recognizing the territorial legislature. Their new representation in the legislature would allow the democratic process to develop a political solution to the crisis rather than the violence that was already occurring through out the territory.

### Securing the Polls for the Election

Governor Geary and General Smith began a program of aggressively patrolling the Kansas-Missouri border to ensure the safety of the polls. The result of the patrols was a partial success. The polls were generally free of violence or threat thereof; however,

this may have be the result of Free State populations boycotting the polls. On the eastern border, some Missourians still crossed the border to vote, as long as they did not cross in large armed parties. James Whitfield, a Missourian and the delegate for the Kansas Territory to the US Congress, crossed the border to vote for himself at Lecompton.<sup>71</sup> Allowing Missourians to cross the border to vote but not to intimidate the polls was a problem for the Army. In the eyes of Free State Kansans, the Missourians were still abusing the polls by illegally voting. However, many of the Missourians were what would now be called dual citizenship residents and they did have a legal right to vote in Kansas at that time. Many of these dual status citizens had a residence in Kansas and moved back to Missouri for safety. Others moved to their squatter's domicile in Kansas, but had their true household in Missouri. To de-conflict every voter's true residence was not the job of the Army. The military's job was to ensure the polls would be secure from violence. To do that, they patrolled the Missouri-Kansas border to prevent armed parties from crossing. No known armed Missouri party crossed during that election.

The northern border was a different story. Reports that armed parties of Free State men were still crossing continued. On 28 September, Governor Geary requested from Cooke that US troops intercept a rumored incursion of over 600 armed Free State men under Lane.<sup>72</sup> On 7 October, Lieutenant Colonel Cooke wrote to Major Porter that spies reported that Lane had large numbers of men in Kansas. Those men were entering in small groups from the north, to avoid Army patrols. Cooke believed the Free State men were waiting to see what would happen to the 101 Free State prisoners still being held from the incident at Hickory Point.<sup>73</sup> Even though some Free State armed parties did cross the border, they were not interested in the election. Therefore they avoided polling

areas and kept away from the Army. They were just waiting in preparation for any possible future need.

#### Constraints on Army Patrols.

General Smith forces remained in the field to secure the Kansas border from incursions from Nebraska and Missouri. In a letter written to Lieutenant Colonel J. E. Johnston by Major Porter on 29 September, Johnston was told to keep units patrolling the northern border and to disarm all organized parties of men. He was further instructed to cross the Nebraska border if necessary, as it was not a state.<sup>74</sup> The General believed a state had different legal authority than a territory and this was the reason the Army could not do actions within the state of Missouri in the 1850s.

Governor Geary also received several requests from individuals wanting to form their own militias. He believed they wanted to do the following:

[O]rganize militia or volunteer military companies in order to protect the neighborhoods in which they resided. Knowing that the objects of these requests were in the majority of instances, to obtain legal authority to commit depredations on opposing political parties, the governor invariably refused to grant them.<sup>75</sup>

At this time, the Army put more effort into the role of peace enforcement, as they had now stabilized the region enough for the political forces to begin the healing process. The military was securing the borders and acting as deterrence against armed incursions into the territory. Without external forces causing violence and the internal forces being placed in the militia under command of the Army, the situation in Kansas was calming. By October reports from the field related fewer incidents and many armed parties had left the territory. The Free State citizens of Kansas grew an appreciation of Governor Geary's neutrality between the parties, while the proslavery citizens were seeing their power

slowly ebbing away. The combination of Army patrols decreasing the violence and Governor Geary's reorganization of the militia eroded the proslavery party's major capability to combat Free State forces.

The territorial election of October 1856 became a proslavery victory, primarily because the Free State population boycotted the polls. The Free State population did not want to recognize the legitimacy of the proslavery territorial legislature by participating in the territorial election. However, due to the Army patrols and the reorganized militia, the election was peaceful. The peaceful territorial elections also ensured a victory for the Democrat Party. Their Presidential candidate, James Buchanan, won the national election against the divided opposition of the Know Nothing Party and the Republicans.<sup>76</sup>

Conditions in the territory had settled down but the overriding distrust of the proslavery and Free State parties for each other was still in effect. The Free State population still felt they needed to have a separate legislature, and the proslavery party was pleased to not have the Free State party in the territorial government. Governor Geary and the Army under General Smith remained in the middle.

By the time of the 1856 Presidential election, the major activities of violence had dwindled away. In a 30 September letter to the US Secretary of State, Governor Geary wrote that "Peace now reigns in Kansas. Confidence is gradually being restored. Settlers are returning to their claims."<sup>77</sup> Though there was always a constant low level of violence in Kansas until the end of the Civil War, to many people Bleeding Kansas was over. General Smith and Governor Geary succeeded where others did not.

### Review of General Smith and his Field Commanders

General Smith and his field commanders, Lieutenant Colonel Cooke and Major Sedgwick won the peace by following the basics tenants of what is now known as modern UN Peacekeeping and Army Peace Enforcement operations.

The UN Goals of Peacekeeping:

One: Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.

Two: Stabilize conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement.

Three: Assist in implementing comprehensive peace agreements.

Four: Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.<sup>78</sup>

General Smith accomplished the first goal by securing the border. In July and early August, Smith had his troops secure both the Nebraska and Missouri borders to counter proslavery forces invading Kansas from the east, despite the requests of Acting Governor Woodson to secure only the northern approaches. The general believed that Woodson wanted the Army to only intercept the antislavery forces in the north while proslavery forces could cross from the east at will.

In mid August, when Free State forces in Lawrence attacked Fort Titus outside of Lecompton, the acting governor called upon the Kansas territorial militia, which consisted of proslavery Missourians and Kansans. The militia forces from Missouri could cross the border at will, since they were legally authorized military units. Actions by the militia, against territorial citizens, caused a great deal of frustration for the general and his officers as the Army was limited to only performing actions against Free State forces. This changed once Governor Geary arrived in Kansas.

Geary, under advisement from General Smith and the administration, disbanded the existing territorial militia and formed a new militia from the most disciplined anti- and proslavery armed bands of Kansans. Once the Missourians in the militia were stripped of their legal authority to operate in Kansas, the Army was free to intercept them and secure the eastern border. It was only after the new governor changed the militia, that the General could effectively have his forces secure the borders and contain the conflict.

Smith accomplished the second goal of stabilizing the conflict in order to allow the implementation of a cease fire, by having his forces patrol for and disarm unauthorized armed bands within Kansas. During the call up of forces by Woodson, any proslavery band could claim to be members of the old militia, which greatly complicated the efforts of the Army to stabilize the area. This problem was cured by the establishment of the new militia. Since members of the new militia were placed under the command of General Smith, they could be identified, since the new forces had to report to the Army for orders and training. The militia units called up for service were also placed under the command of the local Army field commanders. Now when field commanders encountered an armed group they could readily identify if the group was legal or not. The field commanders could also take the best militia troops to aid them as scouts and local liaisons.

The new militia also acted as a stabilizing force due to their representation of both anti- and proslavery forces. The Free State population now had legal representation in the territorial military. Before, the new militia, the Army was neutral and the old militia was decidedly proslavery, leaving the Free State population with illegal military action as their only option. Once the new militia was created, the antislavery population could

begin to rebuild their ties with the territorial government, as they felt less threatened.<sup>79</sup> They now had a legal method to protect their homes and families. The new militia also acted as a way for the Free State forces to exclude undesirable antislavery elements from their midst. Since they had some influence on the legal method of stability, their desire to keep their own antislavery de-stabilizing elements in their communities began to wane.

The third and fourth goals were in the early stages of development. The rebuilding of the territorial militia, with forces from both parties, was an important step. The process of rebuilding trust in the territorial government for Free State citizens would take some time. While the Free State party still boycotted the October polling, the ground work was laid for future elections. The lack of Free State representation in the territorial legislature and their boycotting of territorial elections, made the establishment of peace agreements and a stable government impossible during the rest of General Smith's time in command in Kansas.

As far as FM 100-23, peace enforcement is concerned; General Smith did accomplish the early steps to resolve the situation in Kansas. FM 100-23 states that PE operations are as follows:

The application of military force or the threat of its use, normally pursuant to international authorization, to compel compliance with generally accepted resolutions or sanctions. The purpose of PE is to maintain or restore peace and support diplomatic efforts to reach a long-term political settlement.<sup>80</sup>

He did use his forces to separate belligerent parties. After the creation of the new militia the ability for his forces to act became greatly enhanced. Before the new militia, the identification and the legal authority to separate parties were limited. Once the militia was changed by Geary, the ability of the Army and new militia to act in a positive way became greatly enhanced. The Army supported diplomatic efforts secured the peace

initiated by Governor Geary by controlling the new militia and protecting the citizens of Kansas of both parties. However, it would not be until later, under a different Governor, that the Free State population would recognize the territorial legislature's authority and vote in a territorial election.

### Kansas After 1856

The year 1857 began with reduced violence but problems in Kansas persisted. The population remained divided into two camps. The Free State party operated its shadow government, controlling most of the territory west of the counties near the Missouri border. The proslavery party still controlled the legislature and the counties closest to Missouri. Governor Geary resigned in March 1857, frustrated with the lack of support he received from the Federal government and being under a constant threat of violence from leftover proslavery hardliners in Kansas. To him, once President Pierce secured the election for fellow Democrat Buchanan, interest in Kansas affairs fell.<sup>81</sup> President Buchanan appointed Robert J. Walker as territorial Governor (no relation to Free State party man and new militia leader Samuel Walker), who arrived in May 1857. Governor Walker was a southern Democrat that placed business and professionalism above issues of slavery and politics; as such he was viewed with skepticism by both pro- and antislavery parties.<sup>82</sup>

### General Harney in Kansas

President Buchanan promised to give Governor Walker any aid he could to solve the problems in Kansas. Governor Walker insisted that General William S Harney be put in command of all federal troops within the territory. General Harney was a no-nonsense

type of man and far healthier than General Smith. Harney vowed to Governor Walker “Kansas has been the graveyard of every Governor and General sent there, and I do not intend it to be mine.”<sup>83</sup>

Governor Walker and General Harney used direct military action only once against the Free State population, on 14 July 1857. The community of Lawrence applied a Free State city charter. This action refused to recognize the authority of the territorial government. Governor Walker called out the troops to ensure Lawrence officials would not swear to uphold the constitutions of the Free State of Kansas. Harney led 300 dragoons to Lawrence as a show of force, to reinforce the Governor’s position as the head of the territory to the Free State citizens.<sup>84</sup> The citizens yielded to the governor’s request and did not take (at least publicly) a vow to the Free State of Kansas.<sup>85</sup>

Governor Walker desired that both anti- and proslavery populations of the territory to hold an election to determine on the territorial legislature and later to ratify the Lecompton Constitution, the proslavery constitution for Kansas statehood. To Governor Walker, it was up to the people of Kansas to decide, one way or the other, if the Lecompton Constitution was going to be the document for statehood. Since the Army and the new territorial militia had controlled the territory and the population was beginning to trust the government, it was time to transition Kansas to stable government.

In early June 1857, the Free State party met in Topeka to decide as a body whether or not to vote. This time the Governor did not interfere with the military. In fact, Governor Walker attended the meeting to encourage the Free State population to vote. He stated, “October next, not under the act of the late Territorial Legislature, but under the

laws of Congress, you, the whole people of Kansas, have the right to elect a delegate to Congress and to elect a Territorial Legislature.”<sup>86</sup>

For the first time since 1855, the Free State population decided to vote in a “legal” territorial election. They observed the territory being reduced in violence and another reason why they decided to participate in the election was to continue favor with their allies outside of Kansas.<sup>87</sup>

### The Army Goes to Utah

If Governor Walker decided to interfere with the military, he would have been limited in his options for troops. At that time, a majority of the Army in Kansas traveled to Utah on the Mormon expedition. In March 1857, President Buchanan decided to send General Harney to lead the expedition, to settle the uprising. Governor Walker asked President Buchanan to retain General Harney at Fort Leavenworth. General Persifor Smith was assigned to head the expedition instead as he was the highest ranking officer still available in the region. However, General Smith passed away from illness, before the expedition could leave. Eventually, Colonel Thomas Alexander headed the expedition taking two regiments of infantry and an artillery battery, left Fort Leavenworth in July. Lieutenant Colonel Philip St. George Cooke left leading six companies of dragoons and the federal appointees to Utah in September. This left General William Harney in charge of the remnants of Federal military power in Kansas. Even then, Harney would be tasked to lead another wave of Army troops to Utah in June 1858.<sup>88</sup> However, General Harney would be in charge of what was left of the Army in Kansas during the election of 1857.

### Both Parties Vote in a Kansas Election

On 5 October 1857, the new territorial legislature election was held. Though the weather was miserable, a high voter turnout occurred. US troops were present at the polls to ensure no violence would occur.<sup>89</sup> No violence or intimidation was reported at the polling places and there was no invasion from either the Missouri or Nebraska borders. For the first time in Kansas history, an election was held with popular support of both anti- and proslavery citizens and no violence. The Free State parties won in almost every district.<sup>90</sup> The next term of the territorial legislature would be firmly in the hands of Free State aligned politicians.

There was some fraud in the reporting of ballots. When such cases were obvious, Governor Walker threw the fraudulent votes out. In the most famous case, 1,628 proslavery votes were recorded in a community of less than a dozen houses. In another, 1,200 proslavery votes were recorded in district that had only a handful of voters. In both cases, the citizens of the areas stated that they never voted in such numbers and they did not recall seeing such crowds in their districts. The fraudulent votes were probably added to the ballot boxes after the polls were closed.<sup>91</sup>

Governor Walker and General Harney worked together to lead Kansas to the fourth UN peacekeeping goal, Lead states or territories through a transition to stable government, based on democratic principles, good governance, and economic development.<sup>92</sup> No matter what the territorial legislature decided on the issue of slavery, the people of Kansas had real representation within the territorial legislature. The population and their locally elected political leaders could now solve their political problems without the need of the Army.

### Kansas Becomes a State

On 1 April 1858, President Buchanan and the Democrats in Congress tried for one last time to pacify the south and make Kansas a slave state. The US Congress accepted the proslavery Lecompton Constitution for Kansas statehood, even though the proslavery party in Kansas was already out of office. As part of the compromise made with the proslavery Democratic opposition to pass the resolution, the citizens of Kansas needed to ratify the Lecompton Constitution. President Buchanan added land grants as an enticement to influence the citizens of Kansas to vote for the proslavery Lecompton Constitution. That August, citizens of both parties voted on ratifying the constitution, 11,300 voted against the Lecompton constitution and 1,788 voted for it. The proslavery constitution failed. In 1859, a new state constitution, the antislavery Wyandotte constitution, was submitted to congress by the new Free State dominated legislature.<sup>93</sup> In 1860, the Wyandotte constitution was accepted by Congress and Kansas became a new non-slave state. Statehood was granted after southern congressional opponents left the Union. Though the journey for Kansas statehood was finally over, the nation's journey into the Civil War had begun.

Kansas became a battleground in the Civil War. Military and guerrilla bands, from both the Union and Confederacy, would constantly fight back and forth, on the Kansas Missouri border. Percival Lowe wrote how both States would see suffering and devastation.

And now the great Civil War was on and all along the border the animosities that had slumbered since '56 were again in full force-the line was shapely drawn between Union and Confederate. In Kansas it was all Union; in Missouri, very much mixed, and in peace and friendship of neighborhoods threatened.<sup>94</sup>

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<sup>1</sup>US Congress, Jefferson Davis to Persifor Smith, 27 June 1856, 28.

<sup>2</sup>Mullis, 197.

<sup>3</sup>McPherson, 161.

<sup>4</sup>Cutler, 42.

<sup>5</sup>Gihon, 103.

<sup>6</sup>US Congress, Persifor Smith to S. Cooper, 14 July 1856, 65-66.

<sup>7</sup>Etcheson, 112.

<sup>8</sup>Nichols, 103-104.

<sup>9</sup>Goodrich, 143.

<sup>10</sup>US Congress, Persifor Smith to S. Cooper, 14 July 1856, 65-66.

<sup>11</sup>US Congress, Persifor Smith to S. Cooper, 11 August 1856, 68.

<sup>12</sup>*Ibid.*

<sup>13</sup>US Congress, Persifor Smith to S. Cooper, 14 July 1856, 65-66.

<sup>14</sup>The constant flow of emigrant groups on the various westward trails such as the Mormon, California, Oregon, and others, complicated both the anti- and proslavery abilities to wage action in Kansas. Fighters and arms could be disguised as settlers going westward and avoid patrols.

<sup>15</sup>Peter Page to Thaddeus Hyatt, 6 July 1856, "Letter, Peter Page to Thaddeus Hyatt" *Thaddeus Hyatt Collection*, (Kansas State Historical Society, #401, Box 1, Folder 3), item #101399.

<sup>16</sup>Goodrich, 143-145.

<sup>17</sup>Cutler, 39. The ranks for Hoyt and Treadwell are Free State and proslavery militia ranks respectively, not for federal service.

<sup>18</sup>Fort Franklin and Fort Saunders are on the same site. Franklin was the community of fortified farms and Saunders was the individual who owned one of the fortified buildings within that community. Since the larger conflict is Fort Franklin that identifier will be used.

<sup>19</sup>Goodrich, 145-146.

- <sup>20</sup>US Congress, Wilson Shannon to Persifor Smith, 17 August 1856, 70.
- <sup>21</sup>See map of Douglas County, figure 3.
- <sup>22</sup>US Congress, Persifor Smith to Samuel Cooper, 29 August 1856, 77-78.
- <sup>23</sup>Gihon, 96.
- <sup>24</sup>US Congress, Persifor Smith to the Officer in Command of U.S. Troops Lecompton, 19 August 1856, 74.
- <sup>25</sup>“Important from Kansas, Civil War and Rebellion” *Weston Platte Argus*, (Weston Missouri, 18 August 1856). Though several farms and settlements were destroyed, both anti- and proslavery, no rapes or other similar violations were recorded by reliable sources. The women being violated charges were likely sensationalism and rumors.
- <sup>26</sup>“Friends of Law and Order,” *Kansas Herald Extra* (Leavenworth, KS, 18 August 1856).
- <sup>27</sup>US Congress, George Deas to Phillip Cooke, 28 August 1856, 85.
- <sup>28</sup>US Congress, Persifor Smith to Samuel Cooper, 29 August 1856, 77-79.
- <sup>29</sup>US Congress, Persifor Smith to Samuel Cooper, 29 August 1856, 78.
- <sup>30</sup>Nichols, 139.
- <sup>31</sup>Gihon, 104-105.
- <sup>32</sup>Cutler, 40.
- <sup>33</sup>US Congress, Persifor Smith to Samuel Cooper, 29 August 1856, 77-79.
- <sup>34</sup>US Congress, H. H. Silbey to Phillip Cooke, 30 August 1856, 87-88.
- <sup>35</sup>Matt Mathews, Global War on Terrorism Occasional Paper #14, *The Posse Comitatus Act and the United States Army* (Fort Leavenworth, KS: Combat Studies Institute Press, 2006), 16.
- <sup>36</sup>US Congress, Persifor Smith to S. Cooper, 10 September 1856, 80-83.
- <sup>37</sup>US Congress, Phillip Cooke to George Deas, 31 August 1856, 89.
- <sup>38</sup>US Congress, Dan Woodson to Phillip Cooke, 1 September 1856, 91.
- <sup>39</sup>US Congress, Phillip Cooke to Dan Woodson, 2 September 1856, 91-92.

- <sup>40</sup>Cutler, 40.
- <sup>41</sup>US Congress, D. B. Sackett to Phillip Cooke, 1 September 1856, 93-94.
- <sup>42</sup>US Congress, George Deas to Phillip Cooke, 3 September 1856, 95-97
- <sup>43</sup>US Congress, Phillip Cooke to George Deas, 3 September 1856, 97.
- <sup>44</sup>US Congress, H. Moore to Phillip Cooke, 3 September 1856, 97-98.
- <sup>45</sup>US Congress, Phillip Cooke to George Deas, 4 September 1856, 100.
- <sup>46</sup>Cutler, 41.
- <sup>47</sup>Goodrich, 168-169.
- <sup>48</sup>Gihon, 99.
- <sup>49</sup>Goodrich, 169.
- <sup>50</sup>*Ibid.*, 170.
- <sup>51</sup>US Congress, George Deas to Joseph Johnson, 24 August 1856, 84.
- <sup>52</sup>US Congress, Phillip Cooke to George Deas, 5 September 1856, 101-104.
- <sup>53</sup>Lowe, 178-179.
- <sup>54</sup>*Ibid.*, 181.
- <sup>55</sup>US Congress, Persifor Smith to S. Cooper, 10 September 1856, 80-83.
- <sup>56</sup>*Ibid.*
- <sup>57</sup>US Congress, Jefferson Davis to the Governors of Kentucky and Illinois, 3 September 1856, 30-31.
- <sup>58</sup>Mullis, 217.
- <sup>59</sup>US Congress, Persifor Smith to Samuel Cooper, 10 September 1856, 80-83.
- <sup>60</sup>US Congress, John Geary, "Proclamation," 11 September 1856, 119-121.
- <sup>61</sup>US Congress, John Geary, "Proclamation (2nd)," 11 September 1856, 120.
- <sup>62</sup>UN, Mission Statement.

- <sup>63</sup>US Congress, Phillip Cooke to F. Porter, 16 September 1856, 121-122.
- <sup>64</sup>Nichols, 157.
- <sup>65</sup>US Congress, Phillip Cooke to F. Porter, 16 September 1856, 121-122.
- <sup>66</sup>US Congress, Thomas Wood to Phillip Cooke, 16 September 1856, 123-126.
- <sup>67</sup>Cutler, 43.
- <sup>68</sup>Nichols, 158.
- <sup>69</sup>Nichols, 162.
- <sup>70</sup>UN, Mission Statement.
- <sup>71</sup>Gihon, 195.
- <sup>72</sup>US Congress, John Geary to Phillip Cooke, 28 September 1856, 139.
- <sup>73</sup>US Congress, Phillip Cooke to F. Porter, 7 October 1856, 139-140.
- <sup>74</sup>US Congress, T. Porter to J. Johnston, 29 September 1856, 128-129.
- <sup>75</sup>Gihon, 194.
- <sup>76</sup>Nichols, 171.
- <sup>77</sup>Gihon, 192.
- <sup>78</sup>UN, Mission Statement.
- <sup>79</sup>Mullis, 224.
- <sup>80</sup>Department of the Army, FM 100-23, 6.
- <sup>81</sup>Etcheson, 143.
- <sup>82</sup>Nichols, 191-192.
- <sup>83</sup>Walton, 117.
- <sup>84</sup>Ibid.
- <sup>85</sup>Etcheson, 149-150.
- <sup>86</sup>Cutler, 49.

<sup>87</sup>Ibid.

<sup>88</sup>Walton, 80-83.

<sup>89</sup>Etcheson, 153.

<sup>90</sup>Cutler, 51.

<sup>91</sup>Etcheson, 153.

<sup>92</sup>UN, Mission Statement.

<sup>93</sup>McPherson, 168-169.

<sup>94</sup>Lowe, 282.

## CHAPTER 4

### ANALYSIS

#### The Relevance of the Army's Actions in Kansas

How the US Army leaders in Kansas performed peacekeeping operations in territorial Kansas, in an impartial and effective manner as demonstrated in their use of modern-day UN Peacekeeping Operations principles and FM 100-23, *Peace Enforcement Operations*, is the focus of this thesis. Another focus is how the lessons learned in Kansas can apply to future military operations. The primary lessons learned are the need for military and civilian leadership to work together to develop solutions to a crisis, to use a professional, disciplined force to stabilize a region, which allows the civil government time to achieve political solutions. The final focus is the unique factors Bleeding Kansas had when compared to modern peacekeeping operations and the relevance of the Kansas crisis to modern operations.

#### Securing the Borders

The UN Goals of Peacekeeping are as follows:

One: Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.

Two: Stabilize conflict situations after a cease fire, to create an environment for the parties to reach a lasting peace agreement.

Three: Assist in implementing comprehensive peace agreements.

Four: Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.<sup>1</sup>

The first rule of UN peacekeeping, “deploy to prevent the outbreak of conflict or the spill-over of conflict across borders.”<sup>2</sup> The main role of the military to prevent a

conflict or containing its spread, is to stabilize the situation with their presence and, if need be, their use of force. If a source of the instability is coming from an adjacent region and the borders are not controlled, then the peacekeepers are failing in their mission. The violence will continue as the flow of arms and fighters will constantly stream into aid the recipient nation. Another reason to secure the border is to prevent the flow of violence from the destabilized nation into stable, but fragile, neighbors.

In 1855, Colonel Sumner and the Army did not deploy to prevent an outbreak of a conflict. Prior to Kansas, the populations of most territories elected a legislature without a great deal of influence from neighboring states, as such the legislature was representative of the settler population. In Kansas, Missourian influence established a territorial legislature that rapidly isolated itself from the territorial population. The disgruntled population reacted with complaints, and the legislature with its allies from Missouri labeled anyone against their views as antislavery and oppressed the population. The population responded by setting up a parallel government, as both sides vied for power, violence ensued. Colonel Sumner did not interfere with the early elections as the Army was not requested to act by the territorial governor. Later, when the violence began, the Army's response was slow due to limited numbers of troops, resources, difficulties in their legal authority to act against US citizens, and questions of their authority to act. The legal questions and limited resources caused the Army to initially fail in the first UN goal of deploying to prevent an outbreak of conflict.

In Kansas, the Army once authorized to act, did secure the borders the best way they could with the resources they had. One of their greatest difficulties was the vast amount of land the border occupied. Another was the constant flow of other migrants

traveling into Kansas to settle and the flow of migrants passing through on the frontier trails to Utah, California, Oregon, and other points west. As such, the Army utilized patrols and set up response forces near likely areas of conflict, such as Camp Sackett near Lecompton. In September 1856, Governor Geary disbanded the old territorial proslavery militia and formed a new bipartisan militia of both anti- and proslavery Kansans under the command of General Smith. With the new militia created the Army not only had more forces at its disposal, but many elements previously involved with the cross border flow of men and arms, could now be occupied with controlled military duties. Prior to the inception of the new militia, proslavery raiding parties and old proslavery militia units were often intermixed, confusing the ability of the Army to recognize illegal parties from legal ones. After the creation of the new force, the Army's ability to identify illegal armed bands was easier.

In a modern peacekeeping operation, the security of borders is essential for many of the same reasons. Hostile elements can infiltrate from cross border safe havens that may act as logistical bases. If rule of engagement prevents peacekeepers from engaging those cross-border locations, then the possibility of successfully stabilizing the area can be severely affected. The only option will be to develop methods to prevent the traffic of hostile elements from the neighboring sanctuaries. Border checkpoints, reconnaissance, patrols, and response forces may become necessary. Utilization of the forces manning those duties could become a source of employment and control for indigenous populations. Diplomatic aid, or pressure, onto neighboring governments will become necessary as their ability or desire to prevent cross border violence, will be based on their own self interests. This was one action not used to the greatest advantage in the Kansas

situation, mainly due to legality questions over how much power an administration has in regard to an elected governor prior to the Civil War. In most cases, neighboring governments will request some assistance as they will not desire a spread of violence, refugees, or fighters destabilizing their lands. The key will be to determine what aid will be required and the relationship peacekeeping military forces will have to nations in adjacent border regions.

### Stabilization and Transition

The second goal of UN Peacekeeping “stabilize the situation after a cease fire,” is to allow time for the development of political solutions to the problems affecting the conflict. The formation of the new militia was also crucial in this aspect for Kansas. The Army and the new militia could act together to disband lawless armed bodies in the territory. The proslavery factions that caused instability lost their legal protection and were now confronted with federal/territorial military forces. The more radical antislavery factions faced the same situation as their proslavery enemies. They also had to deal with losing their legitimacy within Kansas as the Free State population now had a legal military force acting to protect, not oppress them.

The third and fourth UN goals of assisting the implementation of peace agreements and transitioning to a stable government were achieved without major Army actions. The main reason for this was due to having a legal and fairly impartial Kansas militia in place and that professional and disciplined territorial military force was created by Army and civilian leadership working together to stabilize the conflict. This allowed federal forces the opportunity to be relieved of duties stabilizing Kansas and to redeploy for other missions, such as the Mormon and Native American uprisings.

In modern operations the development and implementation of an indigenous professional and disciplined military force can act as the major stabilizing factor in the region. The development of a professional indigenous military/police capability will often be the point where peacekeeping and Foreign Internal Defense (FID) operations blur. Consider the following two quotes from FM 34-52, *Intelligence Interrogation*, in low intensity conflicts.

Peacekeeping operations also include restoration or maintenance of law and order. Traditional civilian law enforcement functions are generally not performed by US military personnel. However, situations may arise which require limited support to duly authorized law enforcement authorities of a receiving state.<sup>3</sup>

When a local military force is created, it can perform the role of the civilian law enforcement agencies and also the task given to the US forces is “restoration or maintenance of law and order.”<sup>4</sup> FID operations are similar to peacekeeping operations, in the arena of creating and using native forces, which is what the Army in Kansas did with the new militia after the arrival of Governor Geary. FM 34-52 states the following about FID operations.

The manner in which US combat forces are employed will vary with the situation. Because of their familiarity with local communities and population, it is generally better to use indigenous military assets in more populated areas and to employ US combat assets in remote areas.<sup>5</sup>

The difficulty is selecting the right leaders for the indigenous military units and to form the locally drawn troops into a professional force. In certain situations, this may be more difficult than the situation in Kansas, due to greater cultural divisions often found within modern societies needing peacekeeping intervention.

In Kansas that division was the philosophical issue of slavery compounded by a struggle over territorial governmental control. Yet, the population was ethnically similar

to each other. Majorities of both sides were Americans and of similar religions, social values (except slavery), and ethnicities.

In a modern Peacekeeping operations, opposing factions may have centuries of historical antagonism, different languages, cultures, ethnicities and they may have suffered far greater abuse by their own governments. The challenge of developing an indigenous military force that will act in a stabilizing role is greater but not insurmountable. The modern era does give an example of the employment and consolidation of various indigenous parties into a new military, the South African model. After apartheid was rescinded in 1994, South Africa had two major military forces within their nation. The legal “white” military units of the regular and reserve military, faced the opposition illegal guerrilla “black” units, both had a long history of animosity against each other. Part of the reconciliation measures South Africa pursued was the blending of guerrilla fighters into the existing regular and reserve units. Great care was given to balance the leadership of new military and several of the more abusive leaders from both sides were prevented from joining or remaining in the services.<sup>6</sup> Today, South Africa has one of, if not the most, professional militaries on the African continent. One of the advantages South Africa had was the factor of the nation’s civilian government decision to end instability and work together with all parties for the benefit of the entire population. They acted before there was need to bring peacekeepers.

Many nations undergoing a peacekeeping operation will not share the advantages of South Africa. Yet the primary mission for a peacekeeping force will be to stabilize the area long enough for the indigenous political forces to produce their own national or regional military force that is recognized by the majority of the population as legitimate.

This done, the new military force can now secure the region long enough to allow the political forces time to develop and implement political solutions to the problems that destabilized the area in the first place. Often the major political problem in modern operations can be similar to the political problems in Kansas, the Kansas territorial legislature became too partisan and abused major elements of the population, as a result the population reacted with rebellion and the government became ineffective. If a modern peacekeeping operation faces a similar problem as territorial Kansas faced, then the lessons of the 1850s US Army will be applicable today. The peacekeepers will have to guide the local government in developing a new military force that is professional, disciplined and responsive to the needs of the people.

#### FM 100-23 Lessons in Kansas

FM 100-23 Peace Enforcement (PE) operations:

The application of military force or the threat of its use, normally pursuant to international authorization, to compel compliance with generally accepted resolutions or sanctions. The purpose of PE is to maintain or restore peace and support diplomatic efforts to reach a long-term political settlement.<sup>7</sup>

After the Army was authorized to aid the territorial government in Kansas, their operations according to FM 100-23 were peace enforcement in nature. The Army repeatedly used the threat of force to restore peace support efforts to resolve the situation within the territory. In July 1856, Colonel Sumner used the threat of military action to disperse the Free State legislature meeting illegally in Topeka.<sup>8</sup> Several incidents occurred of Army units intercepting and disbanding armed parties from both sides of the slavery issue. Due to the professional and disciplined nature of the Army forces involved

and the lack of desire of either side to engage federal forces, violence between Army troops and civilians became nearly nonexistent.

The Army actions in Kansas did maintain the peace long enough for the territorial government to formulate solutions for the problems within the territory. Many of those solutions had to wait until the arrival of Governor Geary. Prior to Governor Geary's arrival, the previous governors and the acting governor did not show an interest in solving the central problem within Kansas; the proslavery territorial legislature became too partisan and abused major elements of the population. Governor Geary's reformation of the militia into a bipartisan force solved the abuse problem. Governor Walker, by convincing the Free State population to vote in the "legal" elections and solved the problem of an overly partisan legislature. With Governor Geary, the Army played a major role in stabilizing the region long enough to allow a new militia to be formed. The Army, under the command of federal forces, also controlled the actions and the development of the new militia. With Governor Walker, the Army's role became minimal as the new militia had adequate power to secure the territory, mainly due to the Army's influence in the militia development.

#### FM 100-23 Relevance from Kansas to the Modern Era

Lessons learned from the Army's role in Kansas, in relation to FM 100-23 and the modern era are as follows. The peace enforcement military force must lead the stabilizing effort within the region long enough to allow the creation of native military power to perform the same task. Since indigenous military forces will undoubtedly have some legacy issues surrounding its destabilization, their development and usage must be controlled by an external professional military force viewed as impartial by the local

population.<sup>9</sup> If the rebuilt native military force has the confidence of the people, then that force can assume the stabilization duties from the external peacekeepers. The development of a professional and disciplined indigenous military legitimizes governmental reform efforts to resolve the political problems.

### Lessons Learned in Bleeding Kansas

The primary lessons learned from Bleeding Kansas indicate the necessity of a professional, disciplined force to stabilize the region, followed by competent military and civilian leadership to working together to develop solutions to the crisis and the need for the military leadership to encourage civilian control, rather than forceful military control to the crisis.

#### Professional Forces

The first lesson, the necessity to use a professional, disciplined force to stabilize the region, requires two separate items. The first essential item is a professional, disciplined military force capable to deploy into the disputed region. In Kansas, the major issue of deployment did not affect the response of the federal government, as the Army already had its frontier military presence in the area. In modern operations, many nations that have adequate military forces may not have the logistical means to deploy to the peacekeeping region or to support themselves once there. Thus, it may be necessary for another nation, such as the US, to provide or purchase logistical support to aid those peacekeepers. Another issue can be the lack of other nations volunteering sufficient numbers of professional peacekeepers. If an insufficient number of forces arrive into the

region, they will not only be incapable of conducting peacekeeping operations but they themselves may become at risk of becoming victims of the violence.

The second essential item for the peacekeeping force is to gain legal authority for committing actions in the peacekeeping area. The decision to deploy forces and the rules of engagement they will operate under, are political decisions made in coordination between the peacekeeping force and the political leadership prior to deployment into the affected region. In antebellum Kansas, the Army leadership had to confront many challenges once authorized to act by President Pierce. Not only did the President order field commanders to uphold the law but he also wanted them to maintain control of their forces. The civilian government decided when they needed military aid, but how the Army performed that aid was up to the military commander. In a modern operation, the debate within the arena of international politics, such as the UN and national governments, usually acts to resolve the major issues of when to deploy forces and their rules of engagement within the disputed area. Decisions on how to use the forces should rest with the peacekeeping military commander.

### Cooperation

The second lesson learned from peacekeeping operations in Kansas is the need for the peacekeeping political and military leadership to set up cooperative goals to stabilize the situation. This is essential as the end state of any peacekeeping operation is the transition of the nation into a stable government. The situation requires that military and political leadership act together in order to resolve the multitude of issues that may occur.

In Kansas, poor local political leadership hampered the military leadership. It was not until the arrival of Governor Geary that the territory had a political leader that could

work with a bond of trust with the military commander. Together, Governor Geary and General Smith developed the plan to disband the militia and reform it. Governor Geary trusted the general to oversee the development and employment of the militia and General Smith trusted the governor to decide on the leadership of the militia and to control them once the immediate crisis passed.

In modern operations, the ability of the military commander to trust the political leadership during the peacekeeping effort may be easier than trusting the political leadership of a disputed nation. The selection of both military and political leaders for the peacekeeping missions is often done with a great deal of political debate and the selectee can be recalled if their performance is inadequate. They also have similar goals and are often career public servants of their respective nations. However, the situation with indigenous leaders encountered by the military can be very different, as local leaders may be interwoven into the reasons why the area became destabilized in the first place. Then, in turn, if the local population perceives that indigenous leaders are being supported by the peacekeeping military, then dissident populations may turn against the peacekeeping effort. The peace effort must carefully balance the needs of the native government (if there is any) with the needs of the various population groups. The most difficult part is identifying the local leaders to best encourage the stabilization of the area.

### Civilian Control is the Goal

The main goal of a peacekeeping operation is the transition of the state to legitimate civilian control. The military must encourage civilian control over political solutions to the crisis. If the civilian government determines they have the authority and responsibility for developing a solution to a crisis, they will be more precise in their

interaction with the military peacekeepers. In the end, the local civilian government that understands the situation best will be the optimal authority to resolve the crisis.

The UN believes the best method to change local leadership is the fourth goal of peacekeeping operations. “Lead states and territories through a transition to stable government, based on democratic principles, good governance and economic development.”<sup>10</sup> Democratic principles often mean adapting the local government to become more responsive to the needs of the people. In Kansas, the local government ostracized a significant portion of the population and refused to pay attention to their need for representation. Similarly in many failed states, the past history of local government action, or inaction, isolate the population to a level that compels them to rebel. In other states factors that cause the failure of the local government may be due to issues beyond the government’s ability to control, such as an invasion by a superior power or previous government.

No matter how a nation may become a failed or struggling state, the people that have the best understanding of their situation will come from the indigenous population. It is unlikely that a peacekeeping commander and staff will have enough knowledge, understanding of the local inhabitants, culture. and problems to be able to truly see the situation through the eyes of the local population. This is why the primary mission for the peacekeeping military commander is to stabilize the situation long enough for the identification and rise of competent indigenous leadership. Then the new indigenous leaders, in conjunction with the peacekeeping commander, can develop solutions to the problems in the local area. The peacekeeping military commander then must support the implementation of the solutions to those problems.

One major difficulty for the leadership of modern military commanders to overcome is their aggressive attitude of taking charge of a situation. It can be difficult for a peacekeeping leader to let an indigenous political leader solve a problem in a way that is unfamiliar to him. Thus it is essential to develop solutions in conjunction with the local leader, in order to understand and accept the solution. This attitude can be summed up in the following excerpt describing the problem of “mission creep” and military distrust of civilian leadership in the Haiti peacekeeping effort of the 1990s.

The root of mission creep is the intersection of imprecise political guidance with the military's traditional “can do” attitude. The military officer, moreover, cannot stand inaction, especially when he or she sees a potential risk for the force. In the absence of action by other interagency players, we act.<sup>11</sup>

In other words, the military should stabilize the situation enough for the indigenous political forces to find solutions for the crisis. It is the role of these political forces to develop answers for the reasons the crisis occurred in the first place. The military's role in peacekeeping/enforcement is to support the political leadership by stabilizing the region. A military officer must accept the overused and still relevant quote from T.E. Lawrence, which is as relevant in peacekeeping today, as it was in 1917.

Do not try to do too much with your own hands. Better the Arabs do it tolerably than that you do it perfectly. It is their war, and you are to help them, not to win it for them. Actually, also, under the very odd conditions of Arabia, your practical work will not be as good as, perhaps, you think it is.<sup>12</sup>

#### Unique Factors of Bleeding Kansas

Three major issues existed in 1850s Kansas that may not apply to modern peacekeeping operations today. The first is the capabilities of the modern US military. Another is the recent arrival of populations and government into a new “virgin” territory.

The last issue is the factor the Army was already in position prior to the development of the crisis.

The capabilities of the modern US military in comparison to the combating native forces are significantly different in the modern era than the 1850s. The early twenty-first century American military has the firepower advantages that make any attempt to directly challenge US forces in the field near-suicidal. In the antebellum Army, the firepower of a company of dragoons was similar to and often inferior, to the local forces. The military units of the pre-civil war Army relied on discipline and often the field commander's tact, to influence possible enemies.

In Kansas, both the government and the population in the territory were new to the area. Animosity, for many actors in the region, developed within a short period of time which allowed a rapid development of hostilities and political solutions. From the creation of the territory in 1854 till the territorial legislature elections in October 1858, Kansas was divided over the issues of slavery and local governmental control. In many modern operations, the dispute between parties may of lasted decades, if not centuries. This can greatly challenge the ability of the peacekeepers to stabilize the situation and aid the indigenous population in developing trust in their new political and military forces. Since the population was newly arrived they did not have a legacy of multigenerational conflict.

Finally, the Army in Kansas became gradually immersed in the Kansas crisis as they were already deployed in the area prior to the dispute. In modern operations, the peacekeepers will often deploy into a situation that is well developed and complex. The modern peacekeeper must be able to develop intelligence on the local situation, leaders,

political environment, and other factors. In Kansas, the Army only had to keep abreast of recent developments.

### Relevance

A failed state scenario is a likely avenue for a peacekeeping operation. Kansas in the 1850s presented several failed state indicators, such as the example given below.

A feature of such conflicts is the collapse of state institutions, especially the police and judiciary, with resulting paralysis of governance, a breakdown of law and order, and general banditry and chaos. Not only are the functions of government suspended, but its assets are destroyed or looted and experienced officials are killed or flee the country. This is rarely the case in inter-state wars. It means that international intervention must extend beyond military and humanitarian tasks and must include the promotion of international reconciliation and the re-establishment of effective government.<sup>13</sup>

Kansas possessed the problems of competing factions, could not perform basic security and neighboring governments (Missouri and Nebraska) knowingly supported combative forces.

The situation in 1850s Kansas will not be applicable in every context in relation to modern peacekeeping/enforcement operations. However, territorial Kansas provides examples that are worthy of studying for their similarity to current operations.

The Kansas territory developed into a region with two culturally distinct but similar populations fighting over ideological differences and political representation. The legal indigenous military force (Kansas militia) was highly biased towards one faction of the population and used its power to repress the opposing population. The opposing population initiated a rebellion, installed a parallel government and fielded their own military force. The territory also had neighboring regions flood the area with fighters and

arms, which further complicated the situation. The resulting conflict forced deployment of the Army to stabilize the region.

The violence in Kansas was reduced due to the creation of a new indigenous military force. A force that was professional, disciplined, and responsive to the needs of the entire population. The new military force, in conjunction with US Army forces, stabilized the area. Elections gave true political representation to the population. The major cause of violence in Kansas was the importation of fighters and arms from adjacent regions. Once the borders were secured and the militia was reorganized, the ability of neighboring regions to support violence was severely hampered.

The greatest activity for the Army forces was in initial stabilization, border security duties, and indigenous military establishment. The greatest challenge facing the US political force (territorial governor) in Kansas was the formation of a new indigenous political leadership through bipartisan elections. Once the region had a new militia and popularly elected territorial legislature in place, they developed their own political solutions to their problems. In Kansas, the lack of indigenous military and political forces that represented the population created the destabilizing situation. The establishment of a professional indigenous militia aided stabilization of the area long enough for the political forces to establish solutions to the problems facing the people.

The primary duty of military leaders in Bleeding Kansas and in modern operations remains the same, to protect citizens. The only change from the 1850s to modern peacekeeping and combat operations is which citizens are to be protected. The American military understands the needs of Americans very well, but understanding the

needs and dynamics of a foreign population and culture can be significantly more difficult.

In Kansas, the leaders of the Army knew enough about the population, to know that the military could not be the best venue for solving their political problems. So the military pursued a course of supporting the civilian government by stabilizing the region. When the opportunity presented itself to form a local military force that was representative of the actual population, the Army encouraged its development. Army leaders realized that the new militia would not only act to stop the violence, but it also would aid in legitimizing the government. Similar actions are needed in peace operations today. The best way to protect the citizens of a nation in turmoil is to stabilize the area long enough for the indigenous population to develop their own solutions, to their own problems. Then the peacekeeping force needs to aid the indigenous government implement those solutions.

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<sup>1</sup>UN, Mission Statement.

<sup>2</sup>Ibid.

<sup>3</sup>Department of the Army, *FM 34-52, Intelligence Interrogation* (Washington DC: Government Printing Office, 8 May 1987), 9-2.

<sup>4</sup>Ibid.

<sup>5</sup>Ibid., 9-3.

<sup>6</sup>UN, "South Africa: Africa's Peacekeeper-Yearenders." *IRIN*, (UN Office for the Coordination of Human Affairs, 11 January 2005); available from <http://www.irinnews.org/Report.aspx?ReportId=52638>; Internet; accessed 20 May 2007.

<sup>7</sup>FM 100-23, *Peace Operations*, 6.

<sup>8</sup>Cutler, *History of the State of Kansas*, 38.

<sup>9</sup>The point of the controlling external force being viewed as impartial is important. If the population views the external force (possibly the peacekeeper force) as overly partisan to their local issues they will transfer that belief to the new native military, diluting the new militaries effectiveness.

<sup>10</sup>UN, Mission Statement.

<sup>11</sup>Kevin Benson and Christopher Thrash, "Declaring Victory: Planning Exit Strategies for Peace Operations." *Parameters* 26 (Autumn 1996): 69-80.

<sup>12</sup>T.E. Lawrence Studies, "T.E. Lawrence, Twenty-seven Articles, The Arab Bulletin, 20 August 1917," *T. E Lawrence Writings Site*, Article 15; available from [http://www.telawrence.net/telawrencenet/works/articles\\_essays/1917\\_twenty-seven\\_articles.htm](http://www.telawrence.net/telawrencenet/works/articles_essays/1917_twenty-seven_articles.htm); Internet; accessed 22 February 2007. A reprint of the original, T.E. Lawrence, "Twenty-seven Articles," *The Arab Bulletin*, (20 August 1917).

<sup>13</sup>Daniel Thurer, "The Failed State and International Law." *International Review of the Red Cross* 836 (31 December 1999): 733.

## GLOSSARY

**Abolitionist.** Considered the extreme fringe of the antislavery groups. They desired not only to prevent the spread of slavery, but to disband the practice in states that already allowed it, while the majority antislavery position was to contain slavery or at least prevent its spread.

**Beecher Bibles.** Rifles, mostly advanced Sharpe's rifles, smuggled from New England to the Kansas Territory. They were often placed in crates marked Bibles. They were destined to arm free-state forces in the territory.

**Bleeding Kansas.** Territorial Kansas, approximately 1854-1860. Term was used by many newspapers to dramatize the situation in the territory. Term was used by Horace Greely in 1856 in editorials for the New York Tribune, though many other print sources also use the term at the same time. The term was the popular and a common usage term at the time.

**Border Ruffians.** These were proslavery individuals, mostly from Missouri, who crossed the Kansas border in order to falsely vote in the Kansas election. They were non-Kansas residents and generally not interested in living in Kansas. Later they would become critical members of the proslavery Kansas militia.

**Calvary and Dragoons.** Primary US Army military units in Bleeding Kansas, by this time both were often used as mounted infantry. A Dragoon or Calvary Regiment had approximately 30 Officers and 1600 men; however desertions, disease and poor recruiting often made the unit far less in numbers than authorized. At the time of Bleeding Kansas there were both Dragoon and Calvary forces in Kansas. This can lead to a great deal of confusion. The US Army prior to the Civil War had two Dragoon Regiments, the 1<sup>st</sup> and 2<sup>nd</sup> Dragoons and two Calvary regiments, the 1<sup>st</sup> and 2<sup>nd</sup> Calvary. In 1860 the 1<sup>st</sup> and 2<sup>nd</sup> Dragoons were renamed as the 1<sup>st</sup> and 2<sup>nd</sup> Calvary while the 1<sup>st</sup> and 2<sup>nd</sup> Calvary was renamed the 3<sup>rd</sup> and 4<sup>th</sup> Calvary. Many secondary sources confuse these units.

**Free-State.** This was a party formed by people who immigrated to Kansas in order to live as long term residents and banded together to resist the proslavery government in Lecompton. It should be noted that many Free State party members were not against slavery for the morality reason of human bondage. Some were proslavery before the territorial government abused them and their property.

**Free State Legislature.** After proslavery forces won the election of 1855 and started to mitigate antislavery actions in Kansas, the Free-State population enacted their own legislature outside of the normal legal channels.

*Kansas-Nebraska Act.* Passed in 1854 this act nullified the previous Missouri Compromise for settling the issue of new States becoming Free (Northern) aligned or Slave (Southern) aligned. Under the Kansas Nebraska act each new territory would decide in by election, whether or not to allow slavery. Kansas was in contention as it was bordered by a Slave State (Missouri) while Nebraska was so far north as to be considered a free state by default. The balance of power in the US Senate was in contention.

*Kaw River.* The one time name of the current Kansas River that runs from the juncture of the Blue and Republic rivers near Manhattan, Kansas to its merging with the Missouri river near modern day Kansas City.

*Law and Order Party.* Generic term used by proslavery forces in Kansas to describe themselves. They believed that the territorial legislature chosen by elections (heavily influenced by border jumping votes) were the only legal body in Kansas. Therefore they believed that only their forces were acting within the power of the law.

*Lawrence.* Small town southeast of Lecompton and southwest of Leavenworth on the south bank of the Kaw/Kansas River. Settled by Abolitionists and was the antislavery forces moral center of gravity.

*Leavenworth.* Town situated on the northeast border of Kansas to Missouri next to Fort Leavenworth. Though the Fort was “neutral” in the crisis, the town was considered one of the major pro-slave strongholds. Fort Leavenworth was north of the Kansas River, making the sending of troops to the southern bank, where Lecompton and Lawrence were difficult.

*Lecompton.* Small town northwest of Lawrence on the south side of the Kaw/Kansas River. It was the Territorial Capital during much of the Bleeding Kansas period and the political center of gravity for proslavery forces.

*Lecompton Constitution.* 1858, A pro-slave constitution for the territory of Kansas. It was highly controversial as its legitimacy was questioned by the residents of the territory and the US Congress. Passed at the last moment by the lame duck proslavery legislature of the Territory, it was rushed to Washington DC for approval. The new territorial legislature (now dominated by Free State politicians) was opposed to it. The Lecompton Constitution was supported by the Buchanan Administration who tried to fast track through the Washington bureaucracy. Non-Democrat congressmen opposed it, some as it was proslavery, sponsored by the Democrats and others due to the appearance of illegitimacy. Eventually it was modified by committee and several financial incentives were added (land grants). Then it was sent back to the people of Kansas for approval. It was overwhelmingly rejected by the Kansas population.

**Militia.** A military unit locally formed by a community of individuals. Often formed for self protection and was the standard US land force military unit prior to the 20<sup>th</sup> Century. A formal militia was recognized and chartered by the State government, a forerunner of the modern National Guard. Informal militias were often considered a threat to a State government. Quality of Militia units varied wildly depending on their local threats, funding, leadership and other factors.

**Missouri Compromise.** In 1820 in order to maintain a balance of Southern and Northern States in the Senate. The US allowed Missouri to enter the Union as a slave State as long as no other Slave State was allowed in the US that had a border above the 36°-30`N Latitude, the Southern border of Missouri and the future Kansas.

**Popular Sovereignty.** The concept that Kansas would decide on the slavery issue within its borders. Though it had the advantage of sounding democratic, it had the disadvantages of not specifying how the territory would decide the slavery issue and outside influences deterred the democratic process in Kansas.

**Territorial Governor.** An agent of Executive power in a territory. A Territorial Governor was appointed by the President of the US.

**Wyandotte Constitution.** 1859, the constitution that made Kansas a State. Submitted by the Territorial Legislature (now mostly free-state) to the approval of the population. This was an anti-slave constitution, though it only allowed white males the right to vote. It was approved by a 2-1 margin by the population. Sent to Washington for ratification it finally made it through the Senate in January 1860, mainly due the Southern Senators succeeding from the Union. Kansas was allowed Statehood in the Nation at the beginning of the Civil War.

## APPENDIX A

### LITERATURE REVIEW

Two of the primary sources used for his thesis are from the US Congress: the *Annual Report of the Special Committee Appointed to Investigate the Troubles in Kansas: With the Views of the Minority of said Committee* and *The Annual Report of the Secretary of War*.

The US Congress committee to investigate the troubles in Kansas gave a general overview of the situation in 1855 and 1856. The committee was formed to investigate election fraud issues in Kansas during the elections within the territory in 1855. Detailed interviews were conducted with citizens of anti, neutral, and proslavery bias. The report is massive; several hundred pages of interviews were gathered and recorded. William Howard (Republican, Michigan) and Mordecai Oliver (Democrat, Missouri) led the committee and conducted the interviews. The overall assessment of the committee was divided along political lines. The majority view (Republican) held the opinion that the elections were greatly abused by proslavery Missourians. The minority view (Democrat) believed that the elections, though controversial, were legal and binding. The purpose of the committee was to conduct fact finding, not to resolve any issues within the territory. The eyewitness Kansan interviews in the report were exploited by the press and politicians on both anti- and proslavery sides of the affairs in Kansas.

The US Senate, *Report of the Secretary of War*, is a rich source of letters, reports, telegrams and orders from the Army chain of command. Reports from captains in the field to proclamations of the president are directly transcribed in the report. Often the

only source of specific Army information in relation to the incidents in Kansas, are isolated in this document. The Senate *Report of the Secretary of War* was an annual activity, when the secretary compiled relevant communiqués of interest to the Senate. Correspondences with any relation to the Army's affairs in Kansas were compiled in this report for the year 1856. Due the report being scrutinized by all parties in the Senate and the lack of complaints from sources of the communiqués, the reliability of the information given is considered high. The report provides a unique access to the official communications of Army leadership in Kansas. In no other single source can one have access to so much correspondence from military individuals to other individuals in regard to the troubles in the territory.

Other primary sources used in this thesis are the writings of John Gihon's book, *Geary and Kansas*, and Percival Lowe's book, *Five Years a Dragoon*. John Gihon was the private secretary of Territorial Governor John Geary and was present during the Kansas crisis with him. The book contains a detailed account of actions of the governor and activities in Kansas during and prior to his administration. Gihon has a pronounced antislavery bias in his writings and opinion, though he claims he was neutral prior to arriving in Kansas. Since Governor Geary neither endorsed nor condemned the book, the information given within it is to be considered reliable but biased. It is an excellent source for material directly regarding the activities of the Governor or the opinion of the governor on matters in Kansas.

Percival Lowe performed activities as a teamster for the US Army during the Bleeding Kansas crisis and had a definite realistic and neutral slant to activities within the territory. Due to his unique role as a teamster, he could travel through contested territory

without harassment from either anti- or proslavery parties. Prior to becoming a teamster he was a First Sergeant in the First Dragoons and served with many of the Army leaders present in Bleeding Kansas. His years of experience as a dragoon and later as a teamster provide a highly seasoned eyewitness accounting of the affairs in Kansas. The disadvantage of his work is the relatively small amount of his text given to Kansas over other historical issues. His book does provide an excellent resource for information for the US Army activity on the frontier from the 1849 till the post Civil War era.

Major secondary sources cited that concentrate on Bleeding Kansas are as follows: William Cutler's, *History of the State of Kansas*, Nicole Etcheson's, *Bleeding Kansas*, Alice Nichol's, *Bleeding Kansas*, and Thomas Goodrich's, *War to the Knife*.

Cutler's work is the most extensive historical text available on the affairs of early Kansas. Written in 1887, Cutler provides a rich source of information of territorial Kansas and provides excellent linkages of the context of territorial history to the state history in the Civil War and post Civil War period. His work shows a definite antislavery bias with an admittance of the bias, a rare thing in historical works of the nineteenth century. His work provides a definitive pro-Kansan viewpoint while at the same time illustrating when Kansas concerns were wrong.

Etcheson's book takes the unique view that the issue in Kansas was due more to the control of the territorial government and land issues than the issue of slavery. Her research methods are detailed and she does provide a distinctive neutral slant to slavery related issues in the territory. Her perspective that slavery was primarily an emotional motivator to the population and the primary issue of land and governmental control was the real item separating parties. The disadvantage of her work is that slavery was

embedded in almost all aspects of debate in that time period, especially in Kansas. Her book does provide a refreshing new look onto the issues in the territory; however, the issue of slavery is underreported. The major advantage of her work is the amount of information she provides illustrating the other non slavery related issues that are often overlooked in Kansas history.

Nichol's, *Bleeding Kansas*, provides a definite antislavery perspective of the crisis. Her research methods were reliant on personal interviews and press reports from the time period in question. Though she does provide a great deal of detail and emotion to her historical writing, her work must be considered as slanted to the antislavery side. It also suffers from over usage of Northern newspapers for citation. The advantage of her work is the rich detail she provides and the compelling method of her writing.

Goodrich's, *War to the Knife*, is mostly a collection of quotations and press accounts from the period. It also has extensive and excellent sections on the abolitionist zealot, John Brown. There is no apparent bias in his work as it is more a general accounting of information with little analysis. When he does give analysis, it is generally done to sum up the general viewpoint expressed by more lengthily quotations. For a researcher, his work will provide many sources to be further investigated. However, since the quotations are often brief and fast hitting, a researcher needs to follow them to their source to truly understand the meaning behind them.

Additional sources focused on US Army activities within Bleeding Kansas are very limited. Whereas many works exist concerning the troubles in Kansas, few detail the Army's role except to support other points. Tony Mullis, *Peacekeeping on the Plains*, and

George Walton, *Sentinel of the Plains*, were the two major army centered works used in this thesis.

Mullis's work has extensive research and analysis of the Army's overall role in the antebellum frontier of the Great Plains. His work does have an extensive section of the Bleeding Kansas crisis and interpretation of activities of the Army during that time period. His bias is not on the pro- or antislavery side of the issue but it does have a pro-Army slant. This may be an unfair statement as his is the only writing found concentrating on Army activities in relation to peacekeeping in the Kansas crisis. Thus no other work was found for comparison. Overall, his writing was insightful and exposed several factors of history that was not noticed or commented on in other works due to Mullis's concentration on the military.

Walton's, *Sentinel of the Plains*, is a general overview of the activities of units associated with Fort Leavenworth and the fort itself. His coverage of the antebellum period is wide in breadth but shallow in depth. The main purpose of the work is to recite activities and general history of the fort not to analyze decisions or actions done. The history of the fort, in his book, extends into the 1970s leaving little room for the recording of minute events prior to the Civil War. The advantage of his work is the amount of information it brings to the reader of the way Fort Leavenworth fit into the larger scheme of thing in the Western Frontier.

For a general purpose source for the overall political situation created by Kansas within the US, McPherson's, *Battle Cry of Freedom*, was used. This work is one of the most definitive works on the politics involving the Civil War era. Additionally McPherson's viewpoint does not show a bias to either the Union or Confederate side. His

coverage of the issues involving Kansas is mainly concentrated with the lead up of the political crisis of the secession of the southern states. The disadvantage of his work is the lack of detail it gave to issues within Kansas in comparison to the larger picture of political events within America in relation to the Civil War. That disadvantage is only applicable from the viewpoint of dealing with Kansas affairs. For anyone researching the general nationwide view of the politics leading up to and during the war, *Battle Cry of Freedom* is an excellent work.

To reference the methodology of modern peacekeeping operations the United Nations mission statement on peacekeeping, Leland Goodrich and Edvard Hambro's, Charter of the United Nations, Commentary and Documents, and FM 100-23 *Peace Operations* were used.

These sources were used to gather a reference to compare the Army's actions in Kansas to meeting the general guidelines of modern operations. Extensively detailed or draft guidance from the US Army or the UN was avoided, as the purpose of this paper is to relate how the Army of the 1850s performed general peacekeeping guidelines when compared to modern operations. Not to pass judgment on the state of modern peacekeeping operations by the UN or the US, Nor did this author want to become too detailed with nuances of modern operations as the Army in the 1850s was a different beast than the Army of today.

For UN guidelines, the decision was made to keep the definition of peacekeeping as simple as possible. The details of UN peacekeeping operations and their evolution would be too excessive to cover in this thesis. The four goals of peacekeeping provide a sound, general statement of steps to achieve for a peacekeeping force. Most other sources

from the UN were too convoluted to be used in a manner that would provide a fair comparison to the antebellum Army.

Since the modern Army is currently revising their doctrine of peace operations, newer sources of doctrine were avoided. Again a general definition of modern peace operational goals was needed to avoid bogging down in non-Bleeding Kansas issues. To directly compare the modern Army's force structure, training, and equipment to the older Army would be a disservice to the Army of old. The purpose of this thesis is to compare how the antebellum force performed the mission of meeting peacekeeping goals.

Other sources used in this thesis are often cited for a singular observation or comparison. Relevant information about them will be given in the text or endnotes if necessary.

## APPENDIX B

### RESEARCH METHODOLOGY

The research methodology used for this thesis was historical qualitative design in nature, which is defined as the following: “Systematic collection and objective evaluation of data related to past occurrences in order to test hypotheses concerning causes, effects, or trends of these events that may help to explain present events and anticipate future events.”<sup>1</sup>

The hypothesis of this work is how the US Army performed what is now called peace operations in Bleeding Kansas. The data was collected and evaluated to compare the Army’s activities in antebellum Kansas with the goals of modern peace operations. One of the goals was to analyze issues that effected military leadership interaction with other parties involved. The intention is to gather lessons learned that may or may not be applicable to future operations.

Sources had to meet the following criteria. They had to have relevant information to the topic of Army operations in Kansas or related to Army operations. They also had to be nonbiased as possible. Any identifiable bias had to be placed in relation to the events and time period they occurred. A final criterion was the ease of usage countered by the value of the information.

Relevant information to the topic was one of the more difficult tasks to complete. Though a great deal of information exists on the issue of Bleeding Kansas and its relativity to the Civil War, very little information exists that details the Army’s actions in the Kansas crisis. Dr. Tony Mullis’s work, *Peacekeeping on the Plains*, and the *Annual*

*Report of the Secretary of War* are the major sources of information available on this topic.

The Secretary of War's report provides a rich source of primary correspondence from a wide variety of military and political leaders in relation to military activities in Kansas. The correspondence was compiled by the Department of War and transcribed from the original letters, telegrams, and other written material into the record in 1856. The advantage of this source was the large amount of primary material available, prepared under the purview of the government. Little of the original correspondence, such as an actual telegram, existed after transcription. Biasness of the officers involved is difficult to determine, as much of the writings are often direct and to the point in nature. The correspondence is more in the form of written orders and reports than letters expressing emotion. The disadvantage of this material is that the process used to determine which correspondence made the report is unknown.

Mullis's book is a detailed analysis of the reasons why the Army did their actions in Kansas. Many other secondary works briefly touch upon the Army's actions, but few concentrate on the military and its leadership, most tend to use Army accounts to illustrate other issues in that time period. Mullis's work was used extensively to provide insight of the views of a large number of military leaders. The disadvantage of using his work was the lack of another secondary source covering the same subject for comparison.

The Kansas State Historical Society also provided a great deal of original documents covering the Bleeding Kansas period, including a rich database of personal letters from civilians who witnessed or were involved in the territory. The online database

the society hosts provides direct scans and often text copies of primary source material, greatly easing the task of the researcher.

Other primary sources were used to fill the gaps of knowledge the previous works could not fill by themselves. The sources that were closest to a first person perspective in Kansas, such as Gihon and Lowe, were selected. Since those individuals were eyewitnesses to events as they occurred and their perspective did have relative accounting of Army activities, they were used in this thesis.

The final selection of sources used were those considered in high regard by the historical community for information in relation to Bleeding Kansas, such as Cutler's, *A History of the State of Kansas*, McPherson's, *Battle Cry of Freedom*, or Etcheson's *Bleeding Kansas*. Though they are secondary sources, they either have a great deal of respect in the academic community (McPherson) or their writing has unique insight into the history of the event (Cutler).

Two sources were also chosen for the ability to interview the authors. Dr. Mullis was an instructor at the Command and General Staff College, Fort Leavenworth. He was available for interview in the early stages of the thesis creation and provided valuable insight and advice. He was able to steer the researcher to the definitive resources and aided in topic creation. For the general situation in Kansas, Mr. Goodrich a resident of Topeka was available for telephone interviews. He was able to gain the researcher connections within the museum community of Kansas and also provided critical insight on the subject of Bleeding Kansas.

A primary concern in research of sources for this thesis, was the need to find nonbiased as possible information on the issue of slavery in Kansas. When sources that

were rich in information were found to be overly biased, such as Nichol's, *Bleeding Kansas*, the bias had to be identified and taken into account during analysis. The information Nichols provided was rich and detailed, but often this author used her work as a source of information from the antislavery perspective. Cutler's, *History of the State of Kansas*, provided a great deal of detail of the activities in Kansas and also provided a self recognized bias to the pro-Kansas side. The information from his work is accurate and fairly balanced despite his political leanings. Some of the biasness was not necessarily about the slavery issue but dealt with the Kansas-Missouri conflict as a whole, from a pro-Kansas viewpoint.

Ease of usage was another issue of concern when researching this thesis. Due to the short time provided in the year for the research phase of the Masters program and the normal class load encountered by a Command and General Staff College student, sources were restricted to those easily accessible in the base library, museum, or online. Fort Leavenworth's Combined Arms Research Library provided a great deal of information needed to complete this thesis. The decision to research a topic that concerned a major historical event that occurred at Fort Leavenworth paid dividends in the ease of acquiring resources. The post museum and curators provided guidance to sources, such as Percival Lowe's work, *Five Years a Dragoon*. The Kansas State Historical Society Research Library (KSHS) in Topeka Kansas provided a great deal of information in both hard copy and online. Initially working in the library the author had access to the actual letters written by major historical figures. The KSHS online collection is an extensive collection of entire works in both scanned and text versions, greatly easing the usage of the sources for research.

The greatest difficulty encountered in the research phase was the lack of detailed sources of Army activities in Bleeding Kansas. Dr. Mullis's and *The Annual Report of the Secretary of War*, were the only sources that concentrated on the activities of the Army during the crisis. Many secondary sources alluded to Army actions and mentioned specific incidents involving the Army, but few gave a great deal of detail. One possible reason for the lack of detailed information was due to the Civil War. Prior to the war, Kansas was a politically turmoil filled topic. If an officer commented upon his own feelings about slavery, he would find himself being lambasted from one political side or the other. Later the War of Succession was such a pivotal event in US history and in the minds of the Officers serving, that their memoirs focused on the larger event. Specific memories of Kansas were lost in the shuffle of the war.

This paper keeps to the general goals of peacekeeping and peace operations instead of detailing specific modern doctrine or activities. This is due to the fluid nature of Army doctrine at the time of this thesis writing and to avoid diluting the historical Army in Kansas with modern operations. Many of the most relevant modern operations, such as operations in Iraq, Afghanistan, and Somalia are still active. Following their events at the same time as writing this paper would have been distracting. To keep the issue of peace operations focused, the US mission statement on peacekeeping and FM 100-23 definition of peace operations were chosen. Other editions of field manuals and UN activities vary in details, but the UN peacekeeping mission statement and FM 100-23 peace operations definition provide stable benchmarks that can apply to operations in the 1850s to modern day.

## APPENDIX C

### PERSONS OF NOTE AND TIMELINES

#### Individuals of Importance in the Bleeding Kansas Conflict

##### Presidents

President Franklin Pierce. Democrat, Term 1853-1857, President throughout most of the Bleeding Kansas Crisis. He supported the Kansas Nebraska Act with Senator Stephen Douglas and Secretary of the War Jefferson Davis. After the elections in Kansas were held with wide spread corruption and vote fraud, President Pierce supported the new Kansas territorial government. Kansas then exploded in civil unrest and he viewed the crisis as an issue that could hurt his party in the elections of 1856. His involvement with the Kansas Nebraska Act and Bleeding Kansas is widely believed to of cost him the Democratic Party's re-nomination, he pressured federal Kansas authorities to resolve or at least calm down the crisis in order to secure the election of James Buchanan, the Democrat candidate in November 1856.

President James Buchanan. Democrat, Term 1857-1861, Nominated by the Democrat party primarily due to the fact that he was overseas in Britain during most of the Bleeding Kansas crisis. It was felt that he would be a safe candidate as the nation was becoming increasingly divided. He reluctantly ran for office after party pressure forced his hand.

After taking office he supported the newly and controversially elected proslavery Kansas territorial government. Then the Supreme Court passed the Dred Scott Decision that would further drive the slavery issue as a dividing force in American politics. It is

generally regarded that his poor performance as President directly led to the election of President Abraham Lincoln and the Civil War.

#### US Senators

Senator Stephen A. Douglas. Democrat Illinois, Term 1847-1861, Developer of the Kansas Nebraska Act and Popular Sovereignty. It is generally regarded that his major motivation for proposing the Act was the desire to solidify Midwest and Rocky Mountain territories into states that could support a transcontinental railroad. He also desired to hold the Democrat Party together as a national political interest. After Bleeding Kansas exploded Senator Douglas resisted efforts to allow Kansas to be given statehood under the proslavery Lecompton constitution as he felt Popular Sovereignty was violated due to the vote fraud. His actions inadvertently led to the Democratic Party becoming overly southern centric.

Senator David Rice Atchison. Democrat Missouri, Term 1843-1855, Firm supporter of the Kansas Nebraska Act and slavery. He was one of the major leaders of the proslavery factions of the Bleeding Kansas crisis. He operated from Missouri and sponsored/led several expeditions into Kansas.

Senator Charles Sumner. Republican though he was once in the Whig and Free Soil parties, Massachusetts, Term 1851-1874. Fervent antislavery leader in the Senate. He staunchly opposed the Kansas Nebraska Act and the admission of Kansas Statehood under a proslavery constitution. Later he led the Radical Republican wing of the party during the post Civil War years. During the debates over Kansas he was brutally beaten in the Senate hall by Preston Brooks a nephew of Senator Andrew Butler, S. Carolina. The reason for the beating was to avenge the insult against Senator Brooks and the south

by Senator Sumner in one of his speeches on the Kansas situation. This beating illustrated the passion Bleeding Kansas had in the Government.

#### Territorial Governors

Governor Andrew Reeder. Term October 1854 to August 1855, First Territorial Governor of Kansas. Appointed by President Pierce to maintain the office for short period of time as Kansas was expected to be rapidly entered into Statehood. He oversaw the first census and elections for legislature in Kansas. The elections were rife with abuse due to large numbers of Missourians coming in and overloading the polls. Thus proslavery forces took over the territorial legislature. This led to Free State residents adopting a policy of embargoing the territorial legislative process and setting up a parallel government. Gov. Reeder viewed the Free State government as illegal while at the same time he could not ignore the abuses by the pro-slave side. He later became a high ranking official in the Free State cause.

Governor Wilson Shannon. September 1855 to September 1856, Appointed by President Pierce, he took over a Territory that was already experiencing violence, Gov Shannon did little to stabilize the conflict. During his term the violence in Kansas increased dramatically. Possible causes were the impact of antislavery immigrants and the abuses of power by the Territorial (pro-slave) legislature. He requested US Army forces to help maintain the peace. During Gov. Shannon's term the Kansas issue became a major political debacle for the Democrat Party.

Acting Governor David Woodson. Reigned as acting Governor in the time period between Gov. Shannon's term and the arrival of Gov. Geary. He was generally known as being strongly pro-slave and a professional bureaucrat. In his time he served as acting

Governor the proslavery forces had a great deal of legal protections and the Free State side felt severely unrepresented in political affairs. He allowed extensive use of proslavery forces under the legal protection of the Kansas Militia. He served as acting Governor several times from April 1855-April 1857; however his term from August to September 1856 is the term most notable in Kansas history.

Governor John W. Geary. September 1856 to March 1857, Appointed by President Pierce to settle the Kansas crisis, or at least neutralize the issue enough to keep the Democratic Party from splitting into smaller factions and other parties, prior to the 1856 elections. Overall his greatest success was recognizing the Free State faction as a viable population, but he resisted efforts to recognize them as a political entity. He had greater success in using the Army forces to keep the peace. Under his reign the “legal” pro-slave Kansas Territorial militia and the “illegal anti-slave Free State militia were both reorganized in a new Territorial Militia.

Governor Robert J. Walker. March 1857 to December 1857. Effective in keeping violence in Kansas at a fairly low level, he is most noted for his tenure during the Lecompton Constitution issue and by convincing the Free State forces not to boycott an election of the Territorial Legislature. He was not effective from preventing the lame duck proslavery legislature from sending a pro-slave Constitution to the US Congress for approval. This caused the Free State forces to boycott the first referendum on the Constitution. He did use Army and Militia forces to secure the polls during his term, giving some trust in the government.

Governor James W. Denver. December 1857 to November 1858, Took office the day the Lecompton Constitution (proslavery) was first voted on in the Territory. Free

State population boycotted the election, further driving Kansas into crisis. He is most notable in his actions working to appease the National Democratic Party factions, Free State forces and the Kansas Territorial Legislature over the Lecompton Constitution.

#### US Military Commanders

Secretary of War, Jefferson Davis. He served during the Pierce Administration and was Secretary of War through the height of the Kansas Crisis. Secretary Davis was strongly proslavery. After the Pierce Administration he held the Senate seat from Mississippi and was later the President of the Confederate States of America.

General (Brevet) Persifor Smith. Took over command of Army forces in the Kansas Territory in 1856 after Col Sumner. He did not allow US Army units to be commanded by Gov Shannon. He worked closely with Gov Geary in defusing the Kansas Crisis. He was replaced in Kansas by General Harney at the beginning of the Walker Governorship. He was in constant ill health and relied heavily on his Assistant Adjutant Generals, Major Deas and Major Porter to perform his correspondence.

General William Harney. Took over direct command of US Army forces in Kansas after General Smith. He was in charge of Fort Leavenworth and the Army forces in Kansas at the end of the Kansas Crisis.

Colonel Edwin V. Sumner. Commander of US Army Forces in Kansas during the reign of Gov Reeder and Shannon. His desire was to bring order to the Territory but he resisted placing his troops under the authority of the Governors due to issues of authority.

Colonel Philip St. George Cooke. Commander of US Army forces in Ft Riley and he was under the command of Col Sumner and later Gen Smith. As he was often in the field commanding forces directly engaged with the pro- and antislavery forces.

### Proslavery Citizens of Note

Chief Justice Samuel D. Lecompte. Chief Justice Kansas Territorial Court.

Appointed by President Pierce in 1854 he served till 1859 when anti-slave forces took control of the state politics. During his tenure he was firmly aligned with the pro-slave forces. After the North won the Civil War he became a Republican. Was a major land speculator in Kansas Territory. The town and Territorial Capital of Lecompton was named after him.

Samuel Jones. Douglas County Sheriff and Westport Postmaster originally a Border Ruffian from Virginia to Missouri. His firm proslavery actions in the election of 1855 led to him being appointed the postmaster of Westport Kansas (Kansas City area) and the Sheriff of Douglas County (Lawrence). He led several expeditions to Lawrence in order to arrest Free State individuals and later led the sacking of the town. After meeting growing resistance from Territorial Governors for his harsh attitude toward Free State prisoners he resigned his office in 1857.

Henry Titus. Journeyed to Kansas with the Southern Emigration wave hopeful of making Kansas a slave state. He led a large force of proslavery militia troops in the Kansas Territorial Militia and participated in the sacking of Lawrence. Later, he was captured by Free State forces in the Battle of Fort Titus. By December of 1856 he realized that the proslavery forces could not continue to resist the ever growing population of Free State emigrants. He left Kansas and settled the town of Titus Florida.

### Antislavery Citizens of Note

James Lane. One of the major leaders of the Free State forces in Kansas, a founding member of the Free State Party and a leader of several armed expeditions into

the Territory. The mere mention of his forces arriving in the area was enough to create alarm amongst pro-slave forces. After Kansas achieved statehood he became one of the States first two Senators.

James Montgomery. Free State guerrilla leader who operated mainly in the Fort Scott region of the state.

Dr. Charles Robinson. Leading abolitionist in the Kansas Crisis and elected Governor by the “illegal” Topeka legislature. He used his statesman skills to support the cause. Often went to the East to raise money for the Free State cause.

Samuel Walker. Free State Militia leader. Respected for his discipline, generally regarded as the best of the Free State military leaders though not as famous as James Lane.

#### Timeline of Major Events

- 1820: The Missouri Compromise allows Missouri and Maine to enter Statehood with the provision that no State will be admitted into the Union as a slave state that is above the 36 degrees-30 minutes north Latitude (Missouri’s southern border).
- 1850: California enters the Union as a Free State. Chances of Slavery in the other SW Territories are unlikely as the decision is left up to the voters in those territories, who appear to have little desire for slavery. Southern Senatorial power is threatened as more territories are likely to join the Union as Free States.
- 1853: Territories of Kansas and Nebraska petition for statehood.
- 1854: After a great deal of debate, the US Congress and the Pierce Administration nullify the Missouri compromise, allowing Kansas and Nebraska residents the option of voting for slavery within their States (popular sovereignty). Southerners viewed Nebraska as a lost cause but had high hopes of using Missouri residents to place Kansas into the proslavery fold. A race for influencing the Kansas vote begins. Mass emigration of abolitionist (antislavery) immigrants from northern states to Kansas begins, settling the new towns of north eastern Kansas (Lawrence, Topeka, Manhattan). Meanwhile many proslavery Missouri residents settle in the eastern border Kansas towns of Leavenworth, Lecompton and Atchison. Statehood elections are held in Kansas. Results are highly disputed as

- large numbers of Missouri residents flood polling places and often under arms, control elections. Many counties report far more voters than residents. Due to the contested election, the statehood of Kansas is delayed in the Congress.
- 1855: Legislature elections are held in Kansas. Again, the territory is flooded with large numbers of Missouri residents who flood polling places and often under arms, control elections. A proslavery legislature takes power in the territory; they invalidate the elections of almost all antislavery officials. Antislavery residents form their own legislature and militias calling themselves the Free State government. A move that is viewed as illegal by the Pierce Administration and southern aligned political forces, however it is viewed with favor by antislavery political elements. Congressional investigation on the election abuse, recommends a new election, a proposal rejected by President Pierce. Territorial Governor Shannon requests Federal troops to keep the peace. Col. Sumner, Commander of Fort Leavenworth attempts to keep the peace by using Federal troops as a neutral party to uphold the law. Col. Sumner resists several attempts to put Federal troops under the command of staunchly proslavery territorial governors, judges and marshals.
- 1856: Disputes over slavery and northern vs. southern alignment turn violent. Lawrence is sacked by a Missouri “posse” or “raiders” (depending on account). John Brown and his band of followers commit the Pottawattamie creek massacre of several proslavery farmers. Open guerrilla warfare begins. Federal troops under Col. Sumner break up Free State legislature in Topeka. Gen. Smith appointed at Fort Leavenworth. Streams of self appointed militias from both pro- and antislavery side flood eastern Kansas. Proslavery legislature and Missouri “Border Ruffian” abuses tend to shift views of many Kansans that were neutral or originally proslavery. Stability returns after a Gen. Smith and the new Governor John Geary, disbands the proslavery militia and form a new bi-partisan militia.
- 1857: Kansas Territory stabilizes development of trust of the territorial election process which allows the Free State populations to enter the territorial election process.
- 1858: Attempt to draft a state constitution in Lecompton (proslavery) was defeated by the electorate due to a rapidly declining proslavery population in relation to the growing antislavery population.
- 1859: State constitution in Wyandotte (anti-slave) successful, mainly due to the large waves of anti-slave immigrants rapidly out populating the proslavery forces.
- 1858-1864: Most of violence dies down, though eastern Kansas and western Missouri will be the site of constant guerrilla warfare during the Civil War.

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<sup>1</sup>James Niell, “Qualitative Research: Types and Methods,” *Analysis of Professional Literature* (Wilderdom Outdoor Research and Evaluation Center, Online Course, Class 6, July 2006); available from <http://www.wilderdom.com/OEcourses/PROFLIT/Class6Qualitative1.htm>; Internet; accessed 27 December 2006.

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